

No. 86406

IN THE NEVADA SUPREME COURT

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Elizabeth A. Brown
Clerk of Supreme Court

Troy White,

Petitioner-Appellant,

v.

State of Nevada, et al.

Respondents-Appellees.

Petitioner-Appellant's Appendix
Volume 2 of 10

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Dated September 13, 2023.

Respectfully submitted,

Rene L. Valladares
Federal Public Defender

/s/ Laura Barrera

Laura Barrera
Assistant Federal Public Defender

CERTIFICATE OF SERVICE

I hereby certify that on September 13, 2023, I electronically filed the foregoing with the Clerk of the Nevada Supreme Court by using the appellate electronic filing system.

Participants in the case who are registered users in the appellate electronic filing system will be served by the system and include:
Alexander G. Chen, Jonathan VonBoskerck, and Aaron D. Ford.

I further certify that some of the participants in the case are not registered appellate electronic filing system users. I have mailed the foregoing document by First-Class Mail, postage pre-paid, or have dispatched it to a third party commercial carrier for delivery within three calendar days, to the following person:

Troy White #1143868 High Desert State Prison P.O. Box 650 Indian Springs, NV 89070	Jaime Stilz Deputy Attorney General Office of the Attorney General 100 N. Carson St. Carson City, NV 89701
--	--

/s/ Kaitlyn O'Hearn

An Employee of the Federal
Public Defender, District of
Nevada

8 when she drank she was a little odd, you
9 kind of angry and mean. And so, you know
10 personal thing between the two of them th
11 to make a decision that, like, you know,
12 around someone who is going to drink and
13 want to stay in, you know what I mean, a
14 that.

15 MR. ROGAN: Right.

16 PROSPECTIVE JUROR NUMBER 063:
17 kinds of different relationships. But at
18 you know, know anything else about that e
19 experiences. But it would be really hard
20 and not know somebody who hasn't been in
21 lines.

22 MR. ROGAN: So to summarize, th
23 wouldn't affect you?

24 PROSPECTIVE JUROR NUMBER 063: I

25 MR. ROGAN: Okay.

8 murder?

9 PROSPECTIVE JUROR NUMBER 063:

10 I believe so.

11 MR. ROGAN: You believe so?

12 PROSPECTIVE JUROR NUMBER 063:

13 MR. ROGAN: Do you think you can

14 some hesitation?

15 PROSPECTIVE JUROR NUMBER 063:

16 know, when you say that about anything, it

17 give you hesitation to say life in prison?

18 know what I mean. You shouldn't just be,

19 that. So I would say the hesitation is there.

20 I answered you truthfully.

21 MR. ROGAN: And you would consider

22 punishment as well?

23 PROSPECTIVE JUROR NUMBER 063:

24 MR. ROGAN: Thank you very much.

25 it off to Mr. Martin, badge number 64. S

8 MR. ROGAN: Do you have a carry
9 permit?
10 PROSPECTIVE JUROR NUMBER 064:
11 MR. ROGAN: Have you ever consi
12 PROSPECTIVE JUROR NUMBER 064:
13 MR. ROGAN: What kind of handgu
14 sorry, what kind of guns do you own?
15 PROSPECTIVE JUROR NUMBER 064:
16 MR. ROGAN: Three revolvers. T
17 think it's fair that the government requi
18 a permit before carrying a weapon conceal
19 PROSPECTIVE JUROR NUMBER 064:
20 smart to do.
21 MR. ROGAN: Have you, sir, endu
22 PROSPECTIVE JUROR NUMBER 064:
23 MR. ROGAN: No? Never?
24 PROSPECTIVE JUROR NUMBER 064:
25 twenty-nine years.

8 -- I'm sorry, I can't pronounce your name
9 PROSPECTIVE JUROR NUMBER 065:
10 MR. ROGAN: Albietz. Badge num
11 PROSPECTIVE JUROR NUMBER 065:
12 MR. ROGAN: Great. Thank you.
13 PROSPECTIVE JUROR NUMBER 065:
14 MR. ROGAN: Okay, I'll get to t
15 My first --
16 PROSPECTIVE JUROR NUMBER 065:
17 things up.
18 MR. ROGAN: I wish I had a card
19 PROSPECTIVE JUROR NUMBER 065:
20 MR. ROGAN: Your husband was a
21 PROSPECTIVE JUROR NUMBER 065:
22 MR. ROGAN: And when did he pas
23 PROSPECTIVE JUROR NUMBER 065:
24 years ago.
25 MR. ROGAN: And you said that i

8 PROSPECTIVE JUROR NUMBER 065:

9 complex, yes.

10 MR. ROGAN: And you said the District
11 Office here in Clark County handled that

12 PROSPECTIVE JUROR NUMBER 065:

13 MR. ROGAN: And he's retired now.
14 any negative experiences with the District
15 based upon L.J.?

16 PROSPECTIVE JUROR NUMBER 065:

17 MR. ROGAN: No. Okay. Anyone -
18 was alive, did you associate with Metro or
19 people who worked at Metro?

20 PROSPECTIVE JUROR NUMBER 065:

21 family, yes.

22 MR. ROGAN: And would you give more weight to
23 a police officer's testimony than the testimony of
24 who's not a police officer?

25 PROSPECTIVE JUROR NUMBER 065:

8 MR. ROGAN: And what kind of fi
9 PROSPECTIVE JUROR NUMBER 065:
10 just a revolver, a small Derringer, two l
11 MR. ROGAN: And your opinion on
12 carry -- to obtain a permit to carry a co
13 PROSPECTIVE JUROR NUMBER 065:
14 MR. ROGAN: Thank you. Have yo
15 breakup?
16 PROSPECTIVE JUROR NUMBER 065:
17 way, but not anything that would impede m
18 MR. ROGAN: Thank you. And fir
19 consider all forms of punishment if you f
20 PROSPECTIVE JUROR NUMBER 065:
21 MR. ROGAN: Thank you very much
22 it along. Miss -- I'm sorry, I can't pro
23 PROSPECTIVE JUROR NUMBER 105:
24 MR. ROGAN: Ingmanson. Badge r
25 that you were a victim of domestic violen

8 there at the time?

9 PROSPECTIVE JUROR NUMBER 105:

10 MR. ROGAN: But you felt that y
11 it to the police?

12 PROSPECTIVE JUROR NUMBER 105:

13 and I screamed for help and nobody came t
14 ex-husband would get angry, it would happ
15 it would be over very quickly. And once
16 safe and he was very remorseful and upset
17 once it was over, I wasn't in any danger.

18 MR. ROGAN: I see. Now, the wa
19 that it seems as though it happened more

20 PROSPECTIVE JUROR NUMBER 105:

21 physically. Most of the abuse was verbal

22 MR. ROGAN: Name calling, put-o
23 nature?

24 PROSPECTIVE JUROR NUMBER 105:

25 MR. ROGAN: Would he also isola

8 PROSPECTIVE JUROR NUMBER 105:
9 MR. ROGAN: Okay. When did it
10 PROSPECTIVE JUROR NUMBER 105:
11 Thanksgiving.
12 MR. ROGAN: So just in 2014?
13 PROSPECTIVE JUROR NUMBER 105:
14 MR. ROGAN: And was that a diffi
15 PROSPECTIVE JUROR NUMBER 105:
16 yes, I had to leave in hiding because I j
17 know, just to be safe, and I have a daugh
18 months old. But since I've left things a
19 good. We have to obviously co-parent our
20 adopted his son, so there's co-parenting
21 I knew that once we were apart things wou
22 they are.
23 MR. ROGAN: You said that you w
24 did you have to utilize some services her
25 to --

8 MR. ROGAN: And he didn't know
9 PROSPECTIVE JUROR NUMBER 105:
10 MR. ROGAN: But now things are
11 PROSPECTIVE JUROR NUMBER 105:
12 MR. ROGAN: And you haven't had
13 PROSPECTIVE JUROR NUMBER 105:
14 MR. ROGAN: So even though you
15 violence in the past with your spouse or
16 end?
17 PROSPECTIVE JUROR NUMBER 105:
18 MR. ROGAN: Do you own any fire
19 PROSPECTIVE JUROR NUMBER 105:
20 MR. ROGAN: Do you agree that i
21 the government requires a permit in order
22 weapon?
23 PROSPECTIVE JUROR NUMBER 105:
24 familiar with the nuance of that, but for
25 MR. ROGAN: You'll learn.

8 parole to a term in prison with parole af
9 PROSPECTIVE JUROR NUMBER 105:
10 MR. ROGAN: Thank you. If you
11 microphone off to Mr. Leavelle, badge num
12 PROSPECTIVE JUROR NUMBER 067:
13 MR. ROGAN: Mr. Leavelle, you s
14 former city marshal?
15 PROSPECTIVE JUROR NUMBER 067:
16 arts instructor; retired. He was --
17 MR. ROGAN: Oh, a retired marti
18 PROSPECTIVE JUROR NUMBER 067:
19 MR. ROGAN: Okay. And you work
20 Protective Services?
21 PROSPECTIVE JUROR NUMBER 067:
22 Protective Services.
23 MR. ROGAN: Okay. What does th
24 do for that?
25 PROSPECTIVE JUROR NUMBER 067:

8 MR. ROGAN: Okay.

9 PROSPECTIVE JUROR NUMBER 067:

10 contracts.

11 MR. ROGAN: Are you the type of

12 and finds business or do you actually work

13 officer or security guard?

14 PROSPECTIVE JUROR NUMBER 067: S

15 different little clubs, Latino nightclubs

16 That's the gist of our jobs right now.

17 MR. ROGAN: I see. Do you carry

18 course of your business?

19 PROSPECTIVE JUROR NUMBER 067:

20 MR. ROGAN: Okay. What kind?

21 PROSPECTIVE JUROR NUMBER 067:

22 MR. ROGAN: Do you have a carry

23 PROSPECTIVE JUROR NUMBER 067:

24 MR. ROGAN: And how long have y

25 PROSPECTIVE JUROR NUMBER 067:

8 good.

9 MR. ROGAN: Turned out to be good.

10 PROSPECTIVE JUROR NUMBER 067:

11 MR. ROGAN: All of them?

12 PROSPECTIVE JUROR NUMBER 067:

13 twice, two relationships, but it works out

14 course.

15 MR. ROGAN: Okay. Any of those

16 were extremely difficult, people stalking

17 that?

18 PROSPECTIVE JUROR NUMBER 067:

19 MR. ROGAN: No. All right. Were

20 involved in either of those?

21 PROSPECTIVE JUROR NUMBER 067:

22 MR. ROGAN: And during that break

23 complicate things?

24 PROSPECTIVE JUROR NUMBER 067:

25 MR. ROGAN: Can you tell me just

8 not us.

9 MR. ROGAN: Did that -- were you
10 children at certain points or child at ce

11 PROSPECTIVE JUROR NUMBER 067:

12 MR. ROGAN: And did that cause
13 difficulties?

14 PROSPECTIVE JUROR NUMBER 067:

15 MR. ROGAN: Now, you'll hear in
16 there's children. Do you think you can p
17 personal experience with your breakup and
18 here evenly and fairly?

19 PROSPECTIVE JUROR NUMBER 067:
20 facts, of course.

21 MR. ROGAN: Thank you. And sin
22 you could sit and judge the defendant if
23 of first degree murder?

24 PROSPECTIVE JUROR NUMBER 067:

25 MR. ROGAN: And you could impos

8 MR. ROGAN: And it was here in
9 PROSPECTIVE JUROR NUMBER 068:
10 MR. ROGAN: I know it's a sensi
11 I've got to inquire about it. Did he go
12 stay here in the Clark County Detention C
13 PROSPECTIVE JUROR NUMBER 068:
14 and then he was also in Tonopah at a camp
15 MR. ROGAN: Okay. What kind of
16 convicted of?
17 PROSPECTIVE JUROR NUMBER 068:
18 another one was check kiting, checks -- f
19 MR. ROGAN: Passing bad checks?
20 PROSPECTIVE JUROR NUMBER 068:
21 MR. ROGAN: All right. Did the
22 District Attorney's Office prosecute him?
23 PROSPECTIVE JUROR NUMBER 068:
24 MR. ROGAN: Were you involved at
25 PROSPECTIVE JUROR NUMBER 068:

8 MR. ROGAN: Do you have any neg
9 positive opinions of the District Attorne
10 what your brother went through?

11 PROSPECTIVE JUROR NUMBER 068:

12 MR. ROGAN: What about the cour
13 opinions on that because of what your bro

14 PROSPECTIVE JUROR NUMBER 068:

15 so. They were fair. It is what it is.

16 MR. ROGAN: What about his defe

17 PROSPECTIVE JUROR NUMBER 068:

18 public defenders.

19 MR. ROGAN: And do you think th
20 job?

21 PROSPECTIVE JUROR NUMBER 068:

22 MR. ROGAN: Do you own any fire

23 PROSPECTIVE JUROR NUMBER 068:

24 MR. ROGAN: Do you agree that i
25 a person must get a permit to carry a cor

8 MR. ROGAN: So fourteen years a
9 PROSPECTIVE JUROR NUMBER 068:
10 prior to that, though.
11 MR. ROGAN: Were there children
12 PROSPECTIVE JUROR NUMBER 068:
13 MR. ROGAN: And how old were th
14 PROSPECTIVE JUROR NUMBER 068:
15 six months.
16 MR. ROGAN: Did you have to hav
17 custody plan at the time of the divorce?
18 PROSPECTIVE JUROR NUMBER 068:
19 visitation at my home.
20 MR. ROGAN: Can you describe ge
21 breakup -- whether it was difficult or no
22 long it took?
23 PROSPECTIVE JUROR NUMBER 068:
24 breakup is difficult. He was -- he thoug
25 on the other side. He had another girlfr

8 MR. ROGAN: And I'm sure that w
9 PROSPECTIVE JUROR NUMBER 068:
10 months pregnant with my youngest.
11 MR. ROGAN: Okay. And I'm sure
12 when you found -- when you saw what was g
13 PROSPECTIVE JUROR NUMBER 068:
14 MR. ROGAN: But you didn't reso
15 the time?
16 PROSPECTIVE JUROR NUMBER 068:
17 you know, I had found out her name. She
18 kids. And there was nothing that I -- I
19 that end at all.
20 MR. ROGAN: I see. Now, is the
21 that experience that's going to affect yo
22 here in court today?
23 PROSPECTIVE JUROR NUMBER 068:
24 MR. ROGAN: Okay. Can you sit
25 defendant if you find him guilty of first

8 MR. ROGAN: 107. Thank you. It
9 strange, but I know you from somewhere, o
10 PROSPECTIVE JUROR NUMBER 107:
11 work out under Paul Rosenberg years ago.
12 MR. ROGAN: Ahh. At Real Result
13 still go there?
14 PROSPECTIVE JUROR NUMBER 107:
15 MR. ROGAN: All right.
16 Judge, can we approach, please?
17 THE COURT: You can.
18 (Bench conference)
19 THE COURT: Working out in the
20 enough.
21 MR. ROGAN: No, I know. It's a
22 wanted to make the record clear, I don't
23 his face, so.
24 THE COURT: It's okay. You've
25 MR. ROGAN: Yeah.

8 MR. ROGAN: What time is it now
9 THE COURT: Yeah. Okay, I'm ma
10 MR. ROGAN: Okay. I probably w
11 THE COURT: I'm aware of that.
12 (End of bench conferen
13 MR. ROGAN: Now, Mr. Thompson,
14 other except from that, seeing each other
15 you're not going to favor the State side
16 seen me around town?
17 PROSPECTIVE JUROR NUMBER 107:
18 don't even know your name. I didn't know
19 today.
20 MR. ROGAN: Okay. Sir, do you
21 PROSPECTIVE JUROR NUMBER 107:
22 MR. ROGAN: And do you agree th
23 that a person has to get a permit before
24 weapon?
25 PROSPECTIVE JUROR NUMBER 107:

8 MR. ROGAN: No stalking or anyt
9 PROSPECTIVE JUROR NUMBER 107:
10 MR. ROGAN: All right. Do you
11 sit in judgment of the defendant if you f
12 first degree murder?
13 PROSPECTIVE JUROR NUMBER 107:
14 MR. ROGAN: And you could conside
15 including life in prison without the poss
16 PROSPECTIVE JUROR NUMBER 107:
17 MR. ROGAN: Thank you very much
18 number 109. Your son-in-law works for Me
19 PROSPECTIVE JUROR NUMBER 109:
20 MR. ROGAN: What is his name?
21 PROSPECTIVE JUROR NUMBER 109:
22 MR. ROGAN: Are you close with
23 PROSPECTIVE JUROR NUMBER 109: Y
24 MR. ROGAN: Does he discuss pol
25 PROSPECTIVE JUROR NUMBER 109:

8 PROSPECTIVE JUROR NUMBER 109:
9 MR. ROGAN: You'll treat them k
10 fairly? Yes?
11 PROSPECTIVE JUROR NUMBER 109:
12 MR. ROGAN: Okay, thank you.
13 PROSPECTIVE JUROR NUMBER 109: I
14 MR. ROGAN: All right.
15 PROSPECTIVE JUROR NUMBER 109:
16 MR. ROGAN: I've been waiting t
17 Thank you.
18 PROSPECTIVE JUROR NUMBER 109:
19 MR. ROGAN: What branch of mili
20 PROSPECTIVE JUROR NUMBER 109:
21 Marine Corps.
22 MR. ROGAN: All right. Were yo
23 military police at all?
24 PROSPECTIVE JUROR NUMBER 109:
25 MR. ROGAN: And you said you ow

8 have or whether it's appropriate to carry
9 with a permit only?

10 PROSPECTIVE JUROR NUMBER: No,
11 permit only, and I'm not for the open hol
12 somebody walk around, you know, a Denny's
13 know, showing off any kind of a handgun.
14 think that's right. I think it ought to
15 for the outside or the inside.

16 MR. ROGAN: Thank you, sir. Do
17 said you've been married for quite some t
18 years, is that right?

19 PROSPECTIVE JUROR NUMBER 109:

20 MR. ROGAN: Do you remember any
21 way back before then?

22 PROSPECTIVE JUROR NUMBER 109:

23 MR. ROGAN: Okay. All right.
24 could sit in judgment of the defendant ar
25 life in prison without the possibility of

8 THE COURT: You've got to say i
9 of first degree murder you can sit in ju
10 MR. ROGAN: Okay.
11 MR. COFFEE: Yeah.
12 THE COURT: Is that what you we
13 MR. COFFEE: That was part of i
14 concerns that we keep sending the message
15 verdict is life without. I've let it go
16 times and we haven't put the others out.
17 MR. ROGAN: I'll just change it
18 judgment and of all three possible punish
19 MR. COFFEE: That's fine.
20 THE COURT: That's fine.
21 MR. ROGAN: Okay.
22 THE COURT: But you've just got
23 Okay, we've got people who need
24 MR. ROGAN: Okay.
25 MR. COFFEE: Okay.

8 have to have a break.

9 Ladies and gentlemen, because w
10 bathroom break, I'm going to take a short
11 During this recess you are admonished not
12 among yourselves or with anyone else on a
13 with this trial, or read, watch or listen
14 or commentary on the trial or any person
15 trial by any medium of information, inclu
16 limitation social media, text, newspapers
17 Internet and radio, or form or express an
18 subject connected with the trial until th
19 submitted to you.

20 If you could gather in about te
21 Courtroom 14A. Please remember approxima
22 sitting, for those of you in the audience
23 you're sitting for those of you in the bo

24 (Colloquy regarding jurors assembling

25 (Prospective jurors not pr

8 MR. COFFEE: Okay, I'm catching
9 THE COURT: Do you want me to g
10 MR. COFFEE: I don't want to ho
11 THE COURT: (Speaking to the ma
12 confusing my jurors?
13 MR. ROGAN: Juror 67 expressed
14 going to have child care issues, I think
15 Wednesday and next Thursday.
16 THE COURT: Well, but he has to
17 just tell you.
18 MR. ROGAN: He said that he did
19 retracted it.
20 THE COURT: I've asked him both
21 THE MARSHAL: Yeah. And I told
22 we'll mention it.
23 THE COURT: So I'll write him o
24 Leavelle. What about him?
25 MR. ROGAN: He has childcare is

8 how it works.

9 MR. ROGAN: And he said he was
10 said it was Wednesday --

11 THE COURT: That's okay, I've g

12 MR. ROGAN: Great. Thank you.

13 THE MARSHAL: Yeah, some day th
14 next week.

15 THE COURT: 67, 82, 87, 116, 12

16 THE MARSHAL: Can we offer the
17 break if he needs it?

18 THE COURT: Mr. White, do you r

19 THE DEFENDANT: No, I'm fine.

20 THE COURT: All right, because
21 in about a half hour.

22 (Court recessed from 4:14:45 p.m. un

23 (Prospective jurors are pr

24 THE COURT: All right, you can
25 Mr. Rogan, you may continue.

8 PROSPECTIVE JUROR NUMBER 110:
9 years, but once in awhile we drop each other
10 something like that.
11 MR. ROGAN: Is your friendship
12 officers going to affect your ability to
13 officers' testimony in this case?
14 PROSPECTIVE JUROR NUMBER 110:
15 MR. ROGAN: Thank you. Do you
16 military service, sir?
17 PROSPECTIVE JUROR NUMBER 110:
18 MR. ROGAN: Do you own any firearms?
19 PROSPECTIVE JUROR NUMBER 110:
20 MR. ROGAN: You had?
21 PROSPECTIVE JUROR NUMBER 110:
22 MR. ROGAN: What kind of firearms?
23 PROSPECTIVE JUROR NUMBER 110:
24 MR. ROGAN: Did you ever have a firearm?
25 PROSPECTIVE JUROR NUMBER 110:

8 PROSPECTIVE JUROR NUMBER 110:

9 great, but nothing, you know, crazy.

10 MR. ROGAN: Okay. And finally,
11 you could consider all forms of punishment
12 punishment?

13 PROSPECTIVE JUROR NUMBER 110:

14 MR. ROGAN: Great. Thank you.
15 that on to Mr. Navarro.

16 PROSPECTIVE JUROR NUMBER 111:

17 MR. ROGAN: You're badge number

18 PROSPECTIVE JUROR NUMBER 111:

19 MR. ROGAN: Thank you. Do you
20 military service, sir?

21 PROSPECTIVE JUROR NUMBER 111:

22 MR. ROGAN: Do you own any fire

23 PROSPECTIVE JUROR NUMBER 111:

24 have any.

25 MR. ROGAN: Do you agree that i

8 PROSPECTIVE JUROR NUMBER 111:
9 MR. ROGAN: Forty years.
10 PROSPECTIVE JUROR NUMBER 111:
11 1975.
12 MR. ROGAN: Okay, thank you very much.
13 endured any bad breakups?
14 PROSPECTIVE JUROR NUMBER 111:
15 MR. ROGAN: No? Can you consider
16 punishment if you were to find the defendant
17 degree murder?
18 PROSPECTIVE JUROR NUMBER 111:
19 believe, but it has to be decided and that
20 take more time.
21 MR. ROGAN: I'm sorry, I don't
22 PROSPECTIVE JUROR NUMBER 111:
23 those three punishments, but it has to be
24 have -- to find out.
25 MR. ROGAN: That's right. So a

8 determination about the appropriate punishment
9 him guilty of first degree murder.

10 PROSPECTIVE JUROR NUMBER 111:
11 believe. Yeah.

12 MR. ROGAN: And you could do that.

13 PROSPECTIVE JUROR NUMBER 111:
14 MR. ROGAN: Great. Thanks so much.

15 PROSPECTIVE JUROR NUMBER 111:
16 MR. ROGAN: If we could just --
17 it to Mr. Rodriguez, badge number 87.

18 Sir, I'm going back to your instruction.
19 a juror you have to make a decision after
20 evidence.

21 PROSPECTIVE JUROR NUMBER 087:
22 MR. ROGAN: Do you think if you
23 the evidence that you could come to a decision
24 PROSPECTIVE JUROR NUMBER 087:
25 like choose by myself or with the jury?

8 MR. ROGAN: I'm talking about b
9 PROSPECTIVE JUROR NUMBER 087:
10 MR. ROGAN: I'm talking about w
11 the guilt or innocence of the defendant c
12 have to make a decision.
13 PROSPECTIVE JUROR NUMBER 087:
14 MR. ROGAN: Is he guilty, is he
15 you be able to do that?
16 PROSPECTIVE JUROR NUMBER 087:
17 MR. ROGAN: You think so?
18 PROSPECTIVE JUROR NUMBER 087:
19 MR. ROGAN: Even though you're
20 PROSPECTIVE JUROR NUMBER 087:
21 MR. ROGAN: Okay. How old are
22 PROSPECTIVE JUROR NUMBER 087:
23 MR. ROGAN: Nineteen. And you
24 some college experience?
25 PROSPECTIVE JUROR NUMBER 087:

8 MR. ROGAN: Do you own a firearm?

9 PROSPECTIVE JUROR NUMBER 087:

10 MR. ROGAN: Do you think it's a

11 require people to get a permit to carry a

12 PROSPECTIVE JUROR NUMBER 087:

13 MR. ROGAN: Have you endured any

14 PROSPECTIVE JUROR NUMBER 087:

15 MR. ROGAN: No. Okay. Could you

16 forms of punishment if you were to find

17 of first degree murder?

18 PROSPECTIVE JUROR NUMBER 087:

19 MR. ROGAN: Is that a yes?

20 PROSPECTIVE JUROR NUMBER 087:

21 MR. ROGAN: All right, thanks so

22 Ms. Bonilla, badge number 84.

23 All right. Any prior military service, m

24 PROSPECTIVE JUROR NUMBER 084:

25 MR. ROGAN: Do you own any firearm?

8 PROSPECTIVE JUROR NUMBER 084:

9 stalking.

10 MR. ROGAN: None with violence
11 about just a guy that wouldn't leave you

12 PROSPECTIVE JUROR NUMBER 084:

13 MR. ROGAN: Probably. Okay. A
14 experience that would affect your ability
15 this case?

16 PROSPECTIVE JUROR NUMBER 084:

17 MR. ROGAN: Could you consider
18 forms of punishment if you were to find t
19 of first degree murder?

20 PROSPECTIVE JUROR NUMBER 084:

21 MR. ROGAN: Yes. Thank you. W
22 microphone off to Mr. Jones, badge number

23 Sir, you have been married but

24 PROSPECTIVE JUROR NUMBER 121:

25 MR. ROGAN: And how long ago wa

8 PROSPECTIVE JUROR NUMBER 121:
9 MR. ROGAN: You owned some in t
10 PROSPECTIVE JUROR NUMBER 121:
11 MR. ROGAN: Any handguns?
12 PROSPECTIVE JUROR NUMBER 121:
13 MR. ROGAN: Do you think it's a
14 person to have to get a permit to carry a
15 PROSPECTIVE JUROR NUMBER 121:
16 MR. ROGAN: Did you ever have a
17 permit?
18 PROSPECTIVE JUROR NUMBER 121:
19 MR. ROGAN: Have you endured an
20 your life?
21 PROSPECTIVE JUROR NUMBER 121:
22 MR. ROGAN: And finally, do you
23 consider all three possible forms of puni
24 find the defendant guilty of first degree
25 PROSPECTIVE JUROR NUMBER 121:

8 PROSPECTIVE JUROR NUMBER 082:
9 MR. ROGAN: You look young. Do
10 PROSPECTIVE JUROR NUMBER 082:
11 MR. ROGAN: What kind?
12 PROSPECTIVE JUROR NUMBER 082:
13 MR. ROGAN: Do you have a CCW p
14 PROSPECTIVE JUROR NUMBER 082:
15 MR. ROGAN: Do you think it's a
16 person has to get a CCW permit to carry i
17 PROSPECTIVE JUROR NUMBER 082:
18 MR. ROGAN: Have you ever been
19 that ended badly?
20 PROSPECTIVE JUROR NUMBER 082:
21 divorce right now.
22 MR. ROGAN: You are?
23 PROSPECTIVE JUROR NUMBER 082:
24 MR. ROGAN: How long were you m
25 PROSPECTIVE JUROR NUMBER 082:

8 have multiple cousins who are in Metro?

9 PROSPECTIVE JUROR NUMBER 082:

10 MR. ROGAN: As police officers?

11 PROSPECTIVE JUROR NUMBER 082:

12 MR. ROGAN: Do you speak with t

13 PROSPECTIVE JUROR NUMBER 082:

14 them all close friends, as family.

15 MR. ROGAN: Do they talk to you

16 PROSPECTIVE JUROR NUMBER 082:

17 MR. ROGAN: Anything they've ev

18 you take into consideration what they said

19 opinion of anything that's testified to i

20 PROSPECTIVE JUROR NUMBER 082:

21 MR. ROGAN: And you said that y

22 was a former attorney general?

23 PROSPECTIVE JUROR NUMBER 082:

24 marriage. She was my aunt, cousin, whate

25 it.

8 MR. ROGAN: Yeah. Did anything
9 your ability to be a fair and impartial j
10 PROSPECTIVE JUROR NUMBER 082:
11 MR. ROGAN: Okay. Do you think
12 judgment of the defendant and consider al
13 forms of punishment if in fact he's found
14 degree murder?
15 PROSPECTIVE JUROR NUMBER 082:
16 MR. ROGAN: You can't?
17 PROSPECTIVE JUROR NUMBER 082:
18 MR. ROGAN: What form of -- wha
19 able to convict to consider?
20 PROSPECTIVE JUROR NUMBER 082:
21 what you guys have said so far, two years
22 and you're telling me in two weeks I have
23 the verdict for somebody's life.
24 MR. ROGAN: Well, you may not h
25 PROSPECTIVE JUROR NUMBER 082:

8 years or life without the possibility of
9 those three punishments do you think that
10 consider?

11 PROSPECTIVE JUROR NUMBER 082:
12 but I mean, I think twenty years is pretty
13 his life, based off of how old he is.

14 MR. ROGAN: Okay.

15 PROSPECTIVE JUROR NUMBER 082:
16 of time. I'm sorry if that was rude, but
17 uncomfortable. I studied accounting, not

18 MR. ROGAN: So what you're telling
19 couldn't sit in judgment of the defendant

20 PROSPECTIVE JUROR NUMBER 082: I
21 That's all I'm saying. It's not hard to,
22 depicting evidence and trying to find out
23 guilty or not. With everybody else I could
24 know, like I said, in two weeks to say that
25 would be difficult for me, that's all I'm

8 that could happen?

9 PROSPECTIVE JUROR NUMBER 082:

10 MR. ROGAN: So you would buckle

11 make a decision?

12 PROSPECTIVE JUROR NUMBER 082:

13 best of my ability. Absolutely.

14 MR. ROGAN: Thank you, Mr. Hend

15 just pass the microphone to Mr. Reid, bac

16 Sir, do you have any prior mili

17 PROSPECTIVE JUROR NUMBER 081:

18 MR. ROGAN: Do you own any fire

19 PROSPECTIVE JUROR NUMBER 081:

20 MR. ROGAN: What kinds?

21 PROSPECTIVE JUROR NUMBER 081:

22 millimeter, a long gun.

23 MR. ROGAN: Okay. Do you have

24 PROSPECTIVE JUROR NUMBER 081:

25 MR. ROGAN: Do you think it's a

8 PROSPECTIVE JUROR NUMBER 081:
9 MR. ROGAN: Okay, tell me about
10 PROSPECTIVE JUROR NUMBER 081:
11 kid.
12 MR. ROGAN: How long ago?
13 PROSPECTIVE JUROR NUMBER 081:
14 MR. ROGAN: Was child custody s
15 of you during that divorce?
16 PROSPECTIVE JUROR NUMBER 081:
17 MR. ROGAN: Was it difficult em
18 be apart from your children?
19 PROSPECTIVE JUROR NUMBER 081:
20 MR. ROGAN: Were there things t
21 that you regretted during that divorce pr
22 PROSPECTIVE JUROR NUMBER 081:
23 MR. ROGAN: No?
24 PROSPECTIVE JUROR NUMBER 081:
25 MR. ROGAN: Okay. You acted, i

8 MR. ROGAN: Is that a yes?

9 PROSPECTIVE JUROR NUMBER 081:

10 MR. ROGAN: All right. Are you

11 put aside your personal experience when y

12 the testimony in this particular case?

13 PROSPECTIVE JUROR NUMBER 081:

14 MR. ROGAN: Do you think that y

15 three possible forms of punishment if in

16 found guilty of first degree murder?

17 PROSPECTIVE JUROR NUMBER 081:

18 MR. ROGAN: Thank you. If you

19 microphone to Ms. Thompson. Badge number

20 Ms. Thompson, I need to delve a

21 cousin's murder.

22 PROSPECTIVE JUROR NUMBER 116:

23 MR. ROGAN: When was that?

24 PROSPECTIVE JUROR NUMBER 116: 1

25 MR. ROGAN: A long time ago. W

8 PROSPECTIVE JUROR NUMBER 116:

9 MR. ROGAN: And was her boyfriend

10 that murder?

11 PROSPECTIVE JUROR NUMBER 116:

12 MR. ROGAN: At the same time or

13 PROSPECTIVE JUROR NUMBER 116:

14 then he killed himself in front of their

15 MR. ROGAN: So murder-suicide.

16 very emotional still for you forty some o

17 PROSPECTIVE JUROR NUMBER 116:

18 reason why I don't watch "CSI" and all th

19 I get very anxious.

20 MR. ROGAN: Now, listening to w

21 about this case as of right now, are you

22 anxious that you wouldn't be able to sit

23 testimony and consider all the evidence?

24 PROSPECTIVE JUROR NUMBER 116:

25 the person who faints --

8 able to be revived easily if we -- (waves

9 PROSPECTIVE JUROR NUMBER 116:

10 MR. ROGAN: Okay. So I guess m
11 is, knowing or having the experience that
12 cousin, do you think that you should sit
13 case?

14 PROSPECTIVE JUROR NUMBER 116:
15 know how I'm going to react. Like I said
16 of those programs because they make me an
17 fainted, I have nightmares, all those kind
18 it's just part of me. Sorry

19 MR. ROGAN: Okay. That's your
20 experience that you would take to this.

21 PROSPECTIVE JUROR NUMBER 116:
22 for me. It causes me to have anxiety.

23 MR. ROGAN: Okay. You also said
24 in-law is a retired police officer in Ohio

25 PROSPECTIVE JUROR NUMBER 116:

8 MR. ROGAN: I understand. Anyt
9 relationship with that man that's going t
10 to judge the credibility of a police offi

11 PROSPECTIVE JUROR NUMBER 116:

12 MR. ROGAN: Okay. Any prior mi

13 PROSPECTIVE JUROR NUMBER 116:

14 MR. ROGAN: Do you own any fire

15 PROSPECTIVE JUROR NUMBER 116:

16 MR. ROGAN: No way. Okay. Wha
17 permit question, do you think it's approp
18 have to get one?

19 PROSPECTIVE JUROR NUMBER 116:

20 MR. ROGAN: Okay. Have you enc
21 in your life?

22 PROSPECTIVE JUROR NUMBER 116:

23 consider a bad breakup. I mean, I was di
24 years of marriage, but I've now been marr
25 years.

8 PROSPECTIVE JUROR NUMBER 116:
9 firm believer when things aren't working
10 and you walk away peacefully.

11 MR. ROGAN: I agree with that.
12 that, though.

13 PROSPECTIVE JUROR NUMBER 116:
14 my belief system.

15 MR. ROGAN: Okay. Do you think
16 in judgment of the defendant if he's four
17 degree murder and consider all three poss
18 punishment?

19 PROSPECTIVE JUROR NUMBER 116:
20 yes.

21 MR. ROGAN: Thank you very much
22 And, I'm sorry, is it -- I'm so
23 pronounce your name. It's badge number -

24 PROSPECTIVE JUROR NUMBER 076:

25 MR. ROGAN: Thank you. Badge n

8 PROSPECTIVE JUROR NUMBER 076:

9 She's actually lead secretary.

10 MR. ROGAN: Okay. Does she com
11 juvenile offenders at all?

12 PROSPECTIVE JUROR NUMBER 076:

13 MR. ROGAN: Okay. Anything abo
14 she talk to you about her experiences?

15 PROSPECTIVE JUROR NUMBER 076:

16 MR. ROGAN: Okay, thank you. S
17 prior military service?

18 PROSPECTIVE JUROR NUMBER 076:

19 MR. ROGAN: Do you own a firearm

20 PROSPECTIVE JUROR NUMBER 076:

21 MR. ROGAN: Do you think it's a
22 that a person has to obtain a permit in o
23 concealed weapon?

24 PROSPECTIVE JUROR NUMBER 076:

25 MR. ROGAN: Were you ever in a

8 MR. ROGAN: And you can consider
9 forms of punishment? Yes?

10 PROSPECTIVE JUROR NUMBER 076:

11 MR. ROGAN: Thank you very much.
12 Badge number 75, Ms. Tawatao.

13 PROSPECTIVE JUROR NUMBER 075:

14 MR. ROGAN: You're grimacing.

15 PROSPECTIVE JUROR NUMBER 075:

16 MR. ROGAN: Okay. What are you
17 are you afraid of right now?

18 PROSPECTIVE JUROR NUMBER 075:
19 don't know, really. I mean, I've been married
20 I mean, I got married young. We have kids
21 but we're still together and we work it out
22 how I feel about the whole situation.

23 MR. ROGAN: Okay. Can we do that?

24 THE COURT: We can.

25 MR. ROGAN: Okay. I'm just going to

8 The additional jurors I'd like
9 number 67, Mr. Leavelle, badge number 82,
10 number 87, Mr. Rodriguez, badge number 11
11 badge number 122, Ms. Mansfield.

12 So if the rest of you could hav
13 and please remember during this recess yo
14 to talk or converse among yourselves or w
15 any subject connected with this trial, or
16 listen to any report of or commentary on
17 person connected with this trial by any m
18 including without limitation social media
19 television, the Internet and radio, or fo
20 opinion on any subject connected with the
21 case is finally submitted to you.

22 Have a nice evening and we'll s
23 morning.

24 (Prospective jurors exit the
25 (Off-record colloquy

8 Leavelle and then we're going to end with

9 MR. ROGAN: Thank you.

10 THE COURT: So, Mr. Leavelle, t
11 that you might really have some childcare
12 when we talked about it earlier you thoug
13 tell me about it.

14 PROSPECTIVE JUROR NUMBER 067:
15 works on Wednesday, Thursday, Fridays and
16 work by 5:00 p.m., so if I was to be sele
17 know what time -- how long it's going to

18 THE COURT: We don't get out of
19 few minutes before 5:00, which means you'
20 which luckily is parked across the street
21 once you're a juror, but it's still going
22 hour to get anywhere. So are you telling
23 selected as a juror and you have to stay
24 which we'll say is 4:45 just for discussi
25 still not going to get home in time to do

8 Scotty transporter things.

9 PROSPECTIVE JUROR NUMBER 067:

10 I drive, but okay.

11 THE COURT: All right. So, okay.
12 down for a minute.

13 Mr. Hendricks, talk to me about
14 with your financial hardship.

15 PROSPECTIVE JUROR NUMBER 082:

16 to stay and do my duty to the community and
17 forty dollars a day. I'm by myself. Like
18 a divorce, so I'm only supported off of me
19 so there's no way I could live off of for
20 two weeks. Maybe I could do a couple day
21 way.

22 THE COURT: Okay. Pass the microphone.

23 Mr. Rodriguez, tell me about your
24 hardship.

25 PROSPECTIVE JUROR NUMBER 087:

8 PROSPECTIVE JUROR NUMBER 087:
9 THE COURT: Okay. Counsel, can
10 MR. COFFEE: Sure.
11 THE COURT: Turn on my lovely w
12 (Bench conference)
13 THE COURT: I'd love to keep Mr
14 there's no way I'm getting home by five o
15 MR. COFFEE: How old are the ch
16 MS. MERCER: How old are his ki
17 was wondering.
18 THE COURT: Okay. What about 8
19 MR. ROGAN: I'd say we can let
20 MR. COFFEE: That's fine.
21 MS. MERCER: That's fine.
22 THE COURT: Okay. All right.
23 (End of bench conferen
24 THE COURT: Mr. Hendricks and M
25 going to go ahead and excuse you on hards

8 I thought you were supposed to do that in
9 THE COURT: Well, but we're res
10 You're a juror. That's a really important
11 system.
12 PROSPECTIVE JUROR NUMBER 067:
13 and the oldest is fourteen.
14 THE COURT: Can the 14-year-old
15 minutes or so while you get home, or is t
16 at your house?
17 PROSPECTIVE JUROR NUMBER 067:
18 vehicle. One vehicle is down and the veh
19 to go to work, I have it.
20 THE COURT: Okay, so that's an e
21 factor.
22 Mr. Coffee, your call. You're
23 PROSPECTIVE JUROR NUMBER 067:
24 home by 5:30, and I think I probably woul
25 4:45.

8 MR. ROGAN: Yes, Your Honor.

9 MS. MERCER: Sure.

10 MR. COFFEE: We can.

11 THE COURT: All right. Sir, we

12 morning.

13 PROSPECTIVE JUROR NUMBER 067:

14 problem. Thank you.

15 THE COURT: And you've got a co

16 to be done at 4:45 to get you where you r

17 PROSPECTIVE JUROR NUMBER 067:

18 THE MARSHAL: 9:45.

19 PROSPECTIVE JUROR NUMBER 067:

20 THE COURT: You have a nice eve

21 again, sir, for working with us.

22 PROSPECTIVE JUROR NUMBER 067:

23 you.

24 THE COURT: All right. Now wha

25 to do is I'm going to ask Ms. Mansfield a

8 recollection what you saw on the media co

9 PROSPECTIVE JUROR NUMBER 116:

10 your question about had I seen it, and wh

11 there was that murder in front of the kid

12 really struck me because of my own person

13 that's about all I recall, and I knew it

14 side of town from where I am.

15 THE COURT: And because it was

16 PROSPECTIVE JUROR NUMBER 116:

17 than that.

18 THE COURT: And you don't remen

19 it other than it was in front of the kids

20 resonate with you because of what had hap

21 cousin?

22 PROSPECTIVE JUROR NUMBER 116:

23 THE COURT: Okay.

24 PROSPECTIVE JUROR NUMBER 116:

25 THE COURT: Are you going to be

8 trying to ask you the questions delicately
9 one who tells us what you're feeling, because
10 PROSPECTIVE JUROR NUMBER 116:
11 you're saying. I mean, my concern is that
12 belief that in relationships no relationships
13 whether it's work or personal or whatever
14 situations you just walk away, you know.
15 happen, obviously, with my cousin and I had
16 the baby. The baby was six months old.

17 honestly don't know. I am surprised at my
18 in a way. But it is what I am, who I am.

19 THE COURT: Thank you. I appreciate
20 and openness.

21 Mr. Rogan, did you wish to inquire
22 to Ms. Thompson?

23 MR. ROGAN: No, Your Honor.

24 THE COURT: Mr. Coffee, did you have
25 questions outside the presence of the other

8 that.

9 THE COURT: Yeah.

10 MR. COFFEE: The media issue, t
11 questions earlier about we understand eve
12 TV is not always exactly one-on-one with
13 remember a question like that from Mr. Ro

14 PROSPECTIVE JUROR NUMBER 116:

15 MR. COFFEE: The same thing wit
16 would you agree with that? For example,
17 always get things right, the TV doesn't a
18 right?

19 PROSPECTIVE JUROR NUMBER 116:

20 Correct. But they report what they repor

21 MR. COFFEE: They report what t
22 reported in fact in this case that Mr. Wh
23 with murder. But I have to tell you, I'm
24 when you said there was a murder in front

25 PROSPECTIVE JUROR NUMBER 116:

8 child neglect I think that were outlined
9 children in the home. You understand that
10 PROSPECTIVE JUROR NUMBER 116:
11 heard.
12 MR. COFFEE: What you heard. E
13 coverage and your background and what you
14 concerned about whether or not you could
15 sounded. Is that fair?
16 PROSPECTIVE JUROR NUMBER 116:
17 concerns.
18 MR. COFFEE: And look, you don't
19 anybody's expectations here and there's no
20 in any of this, but we do need to figure
21 get together a fair panel. Does that make
22 PROSPECTIVE JUROR NUMBER 116:
23 MR. COFFEE: Okay. Is there any
24 media coverage or that other background that
25 were sitting in this gentleman's chair --

8 PROSPECTIVE JUROR NUMBER 116:

9 understand what question you're asking me

10 MR. COFFEE: Okay, my fault. M

11 asked very artfully. Let me make it real

12 of the day are you sure that you can be f

13 there still concerns and you just can't a

14 PROSPECTIVE JUROR NUMBER 116:

15 MR. COFFEE: Okay.

16 PROSPECTIVE JUROR NUMBER 116:

17 emotionally charged issue for me.

18 MR. COFFEE: Okay.

19 PROSPECTIVE JUROR NUMBER 116:

20 I get very skittish. Like I said earlier

21 of those programs. I'm probably the only

22 that hasn't seen "Scandal" or "How to Com

23 MR. COFFEE: All right.

24 PROSPECTIVE JUROR NUMBER 116:

25 MR. COFFEE: No, that's okay.

8 And, ma'am, thank you again for
9 that it's not easy.

10 PROSPECTIVE JUROR NUMBER 116:

11 MR. COFFEE: I hope I didn't get
12 there, Judge.

13 THE COURT: You were fine. I'm
14 if we can cut her loose. And Ms. Mansfield
15 issue. She identified herself as having

16 PROSPECTIVE JUROR NUMBER 122:

17 THE COURT: Ms. Mansfield, pick
18 whichever looks most comfortable this late

19 PROSPECTIVE JUROR NUMBER 122:
20 downstairs by the door?

21 THE COURT: Soon. Earlier today
22 questions about whether anybody saw media
23 your hand.

24 PROSPECTIVE JUROR NUMBER 122:

25 THE COURT: Can you tell me what

8 now? It's funny because if I hadn't heard
9 stuff I probably would not have remembered
10 some of the facts that were presented about
11 there and stuff, and you know how the media
12 things up, goes for the drama. And I don't know
13 specific details about it, I just -- I just find it
14 horrific. I mean, you know, you just --
15 It doesn't make sense to me, so -- it's just
16 and so awful.

17 THE COURT: So based on what you just said,
18 -- based upon what you recall seeing before
19 today can you set that aside and give everyone
20 a good, fair and impartial trial?

21 PROSPECTIVE JUROR NUMBER 122:
22 I -- I don't recall like hearing facts or
23 facts that I would use in this case to make a decision
24 opposed to what I hear in the courtroom,
25 asking me.

8 THE COURT: Mr. Coffee, would y

9 MR. COFFEE: Just briefly. I m

10 said you had heard in the media it was a

11 understand why we would be concerned, sta

12 so to speak, if you came in with any pre-

13 Do you understand that concern?

14 PROSPECTIVE JUROR NUMBER 122:

15 yeah. And what I said was I found it to

16 The media -- not that the media said it w

17 their word for it. I mean, it is a horri

18 know how anyone can say it's not.

19 MR. COFFEE: And nobody would t

20 though, the media may have made some conc

21 the event was criminally. Does that make

22 PROSPECTIVE JUROR NUMBER 122:

23 MR. COFFEE: For example, the m

24 tagged this as this is, you know, the wor

25 history. The media does all kinds of thi

8 together and I remember my reaction to th
9 even remember specific -- a lot of specif
10 reports. I just remember my reaction to
11 like this happens on a daily basis and it
12 me. I mean, it's like they were talking
13 should you have a concealed carry permit.
14 should have a permit to have a gun, perio
15 civilian. And I don't think people that
16 guns that are civilians should be out in
17 in somebody else's home with them. I mea
18 of this going on. So it's very -- I don'
19 a societal problem.

20 MR. COFFEE: That's certainly -
21 about rights to carry weapons and whatnot
22 suppose, is that because you view this as
23 you can't consider some other possibiliti
24 point you may be asked to consider whethe
25 degree murder, second degree murder, mans

8 a lot of details about the case or about
9 differences in first degree, second degree
10 levels of punishment for first degree, for
11 have a problem with people not being able to
12 think because somebody gets mad is an excuse.

13 MR. COFFEE: Understood.

14 PROSPECTIVE JUROR NUMBER 122:
15 it's a reason why you should get a lesser
16 do bad behavior. So until you explain all
17 me, I can't tell you how good I'd be at
18 understand a lesser this or that, you know
19 versus second degree or manslaughter or
20 this punishment versus that punishment.

21 MR. COFFEE: And we do these things
22 artificially. There were a number of questions
23 about first degree murder and to a lay person

24 PROSPECTIVE JUROR NUMBER 122:

25 MR. COFFEE: -- you may not understand

8 get into too much detail, so we're kind of
9 PROSPECTIVE JUROR NUMBER 122:
10 with there is that you can't really know
11 somebody's head. And earlier when asked
12 had worked with a woman for a couple years
13 her husband and I worked pretty closely with
14 their wedding. That's how close I had gotten
15 like a year after their wedding he murdered
16 so bizarre about it is -- I mean, after that
17 after all that, you know, months later when
18 emotion and you're looking back and trying to
19 happened, I had thought he was kind of a sociopath
20 you know, it's like -- and when you're going back
21 you think, well, maybe he just got mad that
22 something. But, I mean, it's like, you could be
23 going on. I actually think he was a sociopath
24 right things. You know, if you asked him to
25 answer it the right way and come across to

8 arena when we're talking about murder, first
9 second degree murder or manslaughter, murder is
10 important. The judge will give you instructions,
11 you may not agree with the instructions, but
12 the way the instructions are written, you have to follow
13 personal feeling that, you know, if someone says
14 though the judge tells me if something was done
15 I don't see it that way, I don't think that's
16 to reduce something. The concern is that the
17 the instructions and follow the instructions, but
18 don't exactly mesh maybe with what you think
19 be. Do you understand the point?

20 PROSPECTIVE JUROR NUMBER 122:
21 instructions. What I'm saying is that I
22 would agree that the mental state fits the
23 a lesser charge or a lesser penalty because
24 you can tell from what's being said what the
25

MR. COFFEE: And we're too early

8 had been properly diagnosed and from the
9 comfortable that this person really was s
10 mean, I'm probably using extreme examples
11 really believe that so they can't be held
12 then I would follow the instructions. I'
13 that I'm not going to follow the instruct
14 got to be held accountable.

15 MR. COFFEE: Understood. There
16 criminal mental illness. This is just av
17 person, no mental illness, but mental sta
18 classification of crimes.

19 PROSPECTIVE JUROR NUMBER 122:
20 instructions. I can't promise that I'll
21 mental state was sufficient that it shoul
22 strong factor or a weighting factor in le
23 What is -- I don't know the legal terms.

24 MR. COFFEE: I understand. I u

25 PROSPECTIVE JUROR NUMBER 122:

8 sense.

9 MR. COFFEE: Okay. So, for example,
10 well, I'll consider everything, but even
11 everything I would never really come to t
12 we might have an issue.

13 PROSPECTIVE JUROR NUMBER 122:
14 give it due consideration. No. That's r

15 MR. COFFEE: Right.

16 PROSPECTIVE JUROR NUMBER 122:
17 do my best. I have a problem with the co
18 my best.

19 MR. COFFEE: Okay. Thank you f
20 appreciate it.

21 PROSPECTIVE JUROR NUMBER 122:

22 THE COURT: Anything else on th
23 outside the presence of the jury?

24 MR. ROGAN: No, Your Honor.

25 THE COURT: Ma'am, thank you ve

8 Ms. Tawatao, good evening.

9 PROSPECTIVE JUROR NUMBER 075:

10 THE COURT: We are going to ask
11 questions. Since we understood this was
12 you and we wanted to give you the chance
13 there were other people watching you as y

14 PROSPECTIVE JUROR NUMBER 075:

15 THE COURT: So if there's other
16 wanted to tell us, similar to what you we
17 Mr. Rogan at the time we broke, you can e
18 can let him start asking the questions ag
19 minutes.

20 PROSPECTIVE JUROR NUMBER 075:

21 is the thing is, sorry, I might start cry

22 THE COURT: It's all right. Yo
23 Kleenex over there?

24 PROSPECTIVE JUROR NUMBER 075:

25 Thank you. So I've been married twenty y

8 never think of these kind of things, you
9 the person experiencing it. I mean, this
10 ever got called for jury service and ever
11 going to be easy, in and out. And then I
12 almost 5:00, and it's a sensitive subject
13 That's the only reason why I started cryi

14 THE COURT: Our biggest concern
15 you can be fair and impartial in hearing
16 making a decision at the end. Do you thi
17 given how you feel about how lucky you ar

18 PROSPECTIVE JUROR NUMBER 075:
19 it's really hard to say. I can't totally
20 everything. I don't know if I'd cast --
21 judgmental or whatnot. I don't know. Yo
22 has a temper. You know, I think everybod
23 never gotten to a point where I felt a da
24 sense? So I don't know if I could be, yo
25 don't know.

8 PROSPECTIVE JUROR NUMBER 075:
9 MR. ROGAN: On both sides?
10 PROSPECTIVE JUROR NUMBER 075:
11 MR. ROGAN: And the Court is co
12 sides want people who are sitting over th
13 evidence who are fair and impartial to bo
14 Mr. White. And the best that I think we
15 try. Can you try?
16 PROSPECTIVE JUROR NUMBER 075:
17 MR. ROGAN: And can you listen
18 evidence and the testimony without thinki
19 on in your own life?
20 MR. ROGAN: Yeah, of course. I
21 always have to separate ourselves from th
22 with our patients.
23 MR. ROGAN: And that's exactly
24 to do here. You can bring in your common
25 but you've got to evaluate the testimony

8 could sit in judgment of Mr. White and co
9 forms of punishment, all three possible f
10 if he was found guilty of first degree mu

11 PROSPECTIVE JUROR NUMBER 075:

12 MR. ROGAN: You don't think tha
13 of those three? Do you want me to go ove

14 PROSPECTIVE JUROR NUMBER 075:

15 it's in my place to judge somebody. It's

16 MR. ROGAN: Okay.

17 PROSPECTIVE JUROR NUMBER 075:

18 don't know what the circumstances were, w
19 were. That's between him and God and it'
20 say, okay, given the facts.

21 MR. ROGAN: Judge, I think both
22 stipulate to let Ms. Tawatao go.

23 MR. COFFEE: No objection.

24 THE COURT: All right. Ma'am,
25 ahead and excuse you. Thank you very muc

8 THE MARSHAL: Yes, Judge.

9 THE COURT: Thank you, ma'am.

10 All right, counsel, I should be

11 would really like to see the State's jury

12 I get here.

13 MR. ROGAN: I have them, actual

14 but I can email them to the Court right n

15 THE COURT: You've got to email

16 or my assistant.

17 MR. ROGAN: Okay.

18 THE COURT: Not to me, because

19 originals, I will lose them.

20 MR. COFFEE: Judge, before we g

21 quick record on something.

22 THE COURT: Absolutely.

23 MR. COFFEE: It has to do with

24 THE COURT: Badge number 116.

25 MR. COFFEE: 116. I would move

8 has different life experiences than most
9 her history.

10 THE COURT: I think given her c
11 this incident related to her cousin's inc
12 still affecting her so -- as she said, so
13 thirty years later, that the challenge fo
14 granted.October 14, 2015

15 MR. COFFEE: And Judge, it's no
16 developed, but we've got Ms. Mansfield, a
17 would move to strike for cause because I
18 can give adequate consideration to --

19 THE COURT: Let's wait on Ms. M

20 MR. COFFEE: That's fine.

21 THE COURT: -- because you're r
22 because we're very early in this stage.

23 MR. COFFEE: That's fine, Judge

24 THE COURT: But with respect to
25 think there has been a full -- we've done

8 THE CLERK: 13, also. 13.

9 THE COURT: Thompson. So I will

10 and 20 tomorrow when we start.

11 THE CLERK: And 13.

12 THE COURT: And 13.

13 MR. COFFEE: And my obsessive-c

14 probably coming out here, but somebody wi

15 she doesn't need to come back?

16 THE COURT: Well, I don't know

17 reach her.

18 MR. COFFEE: Oh, she may have l

19 THE COURT: She has left already

20 MR. COFFEE: Okay, I'm sorry.

21 behind.

22 THE COURT: That was why I was

23 guys to tell me while they were still her

24 MR. COFFEE: I apologize, my fa

25 THE COURT: You guys weren't li

8 tomorrow?

9 THE COURT: I would really appreciate it if you
10 could be here at 9:30 --

11 MS. MERCER: Okay.

12 THE COURT: -- just in case there are some
13 outside the presence that I have to deal with
14 matters on my 8:30 civil calendar, so I still have
15 plenty of time to visit with you at 9:30.

16 MR. COFFEE: Very good.

17 THE COURT: I asked the jurors to be here at 9:30.
18 As you know, that means for juror time that all of the
19 all actually show up, so we'll see how we do.

20 MR. COFFEE: Very good.

21 MS. MERCER: Thank you.

22 MR. ROGAN: Thank you, Your Honor.

23 (Court recessed at 5:10 p.m., until 10:00 a.m. on
24 April 7, 2015, at 9:45 a.m.)

25

I AFFIRM THAT THIS TRANSCRIPT DOES NOT CONTAIN
SECURITY OR TAX IDENTIFICATION NUMBER OF

FLORENCE HOYT
Las Vegas, Nevada 891

Florence

FLORENCE M.

10/15/15

DATE

Status Updates

Posted 2012-07-22 05:28:36 UTC

Status Heard a quote: "Love is like heaven but can burn like hell". H

Mobile 1

Posted 2012-07-09 20:16:34 UTC

Status Have ya heard the quote, "if you love someone set them free
yours if not they never were."? I like this version instead.. "If
them free. If they don't come back, hunt them down and kill

Mobile 1

Comments

User Kimberly Parriott-Lake (10000009318219)

Text the right one wont want to wander...that's

Time 2012-07-10 03:23:30 UTC

User Troy White (100000582316052)

Text Well, Kim....its a long story....everyones g
where your coming from

Time 2012-07-10 03:24:59 UTC

User Kimberly Parriott-Lake (10000009318219)

Text lwho made up that dumb old saying anyw

Time 2012-07-10 03:25:54 UTC

User Troy White (100000582316052)

Text Ya no kidding. Some old guy from the 180
looked it up

Time 2012-07-10 03:26:57 UTC

User Kelly Kaneshi (1265769283)

Text Yes, but then you'll be the one praying for
the cell door and set YOU free!! Believe m
worse!

Time 2012-07-11 16:07:08 UTC

MA
PR

Ca



ICATION
(TATE)

Recipients Tim Henderson (1816904207)
Troy White (100000582316052)

Author Troy White (100000582316052)

Sent 2012-07-14 17:48:12 UTC

Deleted false

Body Hey tim. Miss ya guys. Jus thinkn of ya. Please pray for echo
heard..echo left me a couple of months ago after an on and o
affair. I was forced outta my own home and live with herman
on my feet. Echo lives in our home during the week with him
weekend I move back in and see my kids. The adulterers lea
sins. God is really helping me as a testimony...the whore and
alive and I'm not in prison.....no joke intended! I tell you all th
back in church and am going for God. Day by day I'm gttn str
occasional relapse. My wife a poster child for backsliding. She
commits adultry. We are not divorced due to the cost. Please
though I tell you all this....I am humiliated that echo wud che
backslider from the potters house. I am very very very hurt a
over the bitterness and hatred even toward the jackass she i
suffering. I went off. Sorry. Pleasekeep this private. Like I sa
you alot tim. You always made me laugh. I really hope all is v



Recipients Lisa Piggott-Brown (1047573702)
 Troy White (100000582316052)
Author Troy White (100000582316052)
Sent 2012-07-19 11:37:21 UTC
Deleted false
Body As far as my wife and I we are over done since we have been
Attachments
Recipients Lisa Piggott-Brown (1047573702)
 Troy White (100000582316052)
Author Troy White (100000582316052)
Sent 2012-07-19 11:37:57 UTC
Deleted false
Body We consider ourselves already divorced
Attachments
Recipients Lisa Piggott-Brown (1047573702)
 Troy White (100000582316052)
Author Troy White (100000582316052)
Sent 2012-07-19 11:38:29 UTC
Deleted false
Body She does what she wants to head has been already doing it f
 cheating on me I am now just moving on is well and doing wh
 totally done with our relationship



FICATION
 (STATE)

Recipients Lisa Piggott-Brown (1047573702)

Troy White (100000582316052)

Author Troy White (100000582316052)

Sent 2012-07-18 12:37:11 UTC

Deleted false

Body Thanks Lisa. Call sometime if ya want... [REDACTED] 9121



Recipients Kimberly Parriott-Lake (100000093182196)

Troy White (100000582316052)

Author Troy White (100000582316052)

Sent 2012-07-08 05:10:41 UTC

Deleted false

Body Well I hope you find a church. Pray and God will plant you in t
our kids....she has em from Sunday night to Friday afternoon
this time stay at a friends house. I goto our house after work
until Sunday night then after pm service to my friends house
weekend echo disappears continuing in her sinful relationship
calls it movn on. I wish I could move on as well....



Recipients Lisa Piggott-Brown (1047573702)

Troy White (100000582316052)

Author Troy White (100000582316052)

Sent 2012-07-27 01:05:54 UTC

Deleted false

Body You are awesome. A true friend. Thankyou. I'm jus gonna tel
it as someone who, didn't cross any linez that I didn't want c
goes...my ex, which u know we are still actually married, said
want it all back. The family. The little things she missdd about
marriage. Everything back. Wow. I was shocked. I was mad.
and don't trust this until it happens. I say that because.....she
but.....you troy hv to gv me time. Her time she said, is to do
able to come back. Well I'm wondering and ask her. What do
to make it work then come back now. Or why didn't you mak
come back now before you told me? Ofcourse I ultimately wa
many reasons. But I'm shocked that she does. I was moving
seriously almost over her. Honestly. Now wtf!!! And so she ex
till her "time" is ready to come back. I said I love you and wa
your not telling me why you can't come back now and why y
how much time. I told her. I wont nor can I wait forever. I am
I was in my life and move on. If and when you decide to com
great. This IS BS!!!

