

IN THE CIRCUIT COURT IN THE  
EIGHTEENTH JUDICIAL CIRCUIT  
IN AND FOR BREVARD COUNTY,  
FLORIDA

CASE NUMBER: 05-2012-CF-035337-AXXX-XX

STATE OF FLORIDA,

Plaintiff,

versus

BRANDON LEE BRADLEY

Defendant,

**ORIGINAL**  
FILED IN THE  
CLERK OF CIR. CT.  
BREVARD CO. FL.  
OCT 28 P 1:48  
SCOTT ELLIS

VOLUME X OF XI

TRANSCRIPT OF DIGITAL RECORDED JURY TRIAL

VOIR DIRE

The transcript of the Digital Recorded Proceedings taken in the above-styled cause, at the Moore Justice Center, 2825 Judge Fran Jamieson Way, Viera, Florida, on the 24th, 27th, 28th day of February, and 6th, 7th, 10th, 11th, 12th, 13th, 14th and 17th day of March, 2014, before the Honorable Morgan Reinman.

RYAN REPORTING  
REGISTERED PROFESSIONAL REPORTERS

1670 S. FISKE BOULEVARD  
ROCKLEDGE, FLORIDA 32955

Case # 05-2012-CF-035337-AXXX-XX  
Document Page # 484



\*23551759\*

A P P E A R A N C E S

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

THOMAS BROWN, ESQ.,  
and  
JAMES MCMASTER, ESQ.,  
Assistant State Attorneys  
State Attorney's Office  
2725 Judge Fran Jamieson Way  
Building D.  
Viera, Florida 32940

Appearing for  
Plaintiff

J. RANDALL MOORE, ESQ.,  
MICHAEL PIROLO, ESQ.,  
and  
MARK LANNING, ESQ.,  
Assistant Public Defender  
Public Defender's Office  
2725 Judge Fran Jamieson Way  
Building E  
Viera, Florida 32940

Appearing for  
Defendant

Brandon Lee Bradley, Defendant, present

\* \* \* \* \*

1 MR. BROWN: And if you recall, she said those  
2 are circumstances, it's a statutory list,  
3 circumstances that may increase the gravity of the  
4 crime or the harm to the victim and it's to those  
5 circumstances and only to those that you're allowed  
6 to look at to justify the recommendation of a death  
7 penalty. I expect she's going to give you -- the  
8 list will be more than one, three, four, five, six,  
9 but it will be that list and that's what you have to  
10 look at. The first question will be has the State  
11 proven any of those aggravating circumstances. We  
12 have to prove them the same burden of proof as in the  
13 guilt phase, we have to prove them beyond and to the  
14 exclusion of any reasonable doubt. So, you look at  
15 those and you say the State of Florida hasn't proven  
16 any of them, then your response is there's no  
17 aggravation in this case and it has to be a life  
18 recommendation.

19 JUROR NUMBER 205: Okay.

20 MR. BROWN: So, if you don't find any  
21 aggravation, it has to be life.

22 JUROR NUMBER 205: Okay.

23 MR. BROWN: If you look at it and say the  
24 State's proven at least one or the State's proven  
25 more than one, maybe the State's proven them all, you

1 take that list of what we've proven as far as the  
2 aggravating circumstances and ask yourself do these  
3 circumstances justify the death penalty. If your  
4 answer is no, then you have to make a life  
5 recommendation. If your answer is yes, that these  
6 circumstances justify the death penalty, we move then  
7 to the second step of the process.

8 In step two you look at what's called  
9 mitigating circumstances. And as aggravating  
10 circumstances are those that may justify  
11 recommendation of death penalty, mitigating  
12 circumstances are those which may suggest or  
13 recommend or encourage a recommendation of a life  
14 sentence. And as the Court told you Tuesday,  
15 mitigating circumstances basically come from the  
16 defendant, his life, background, history, character,  
17 those things, you know, what's happened to him,  
18 that's what the mitigating circumstances are and  
19 that's why I said they may suggest a life sentence.  
20 And they have a burden of proof as well, it's a  
21 lower, it's to the greater weight of the evidence.  
22 It's still a burden but less than what the State has  
23 to prove the aggravating circumstances have. What  
24 the Court's going to tell you is you take all of  
25 those and weigh them with each other and against each

1 other.

2 Now, in your lifetime I assume you've had to  
3 make some key, critical, important decisions.

4 JUROR NUMBER 205: Yes.

5 MR. BROWN: And when you make those decisions  
6 you try to look at all the circumstances involved.

7 JUROR NUMBER 205: That's true.

8 MR. BROWN: And when you look at those  
9 circumstances some of pretty darn important and they  
10 carry great weight in your decision, right?

11 JUROR NUMBER 205: Right.

12 MR. BROWN: Other circumstances you look at  
13 them, you consider them but ultimately you find that  
14 they're not that important and you give very little  
15 weight, right?

16 JUROR NUMBER 205: That would -- yeah.

17 MR. BROWN: That's the way most of us make  
18 decisions, you consider everything, look at it all  
19 and then determine what's most important, weigh it  
20 and come to a decision. Right? That's what she's --  
21 the Judge is going to tell you what you do here. You  
22 take those aggravators and weigh that against the  
23 mitigation, all the aggravators that have been  
24 proven, all the mitigation that has been proven. You  
25 have to consider it all and you weigh them against

1 each other.

2 Now, she's -- Judge isn't going to tell you how  
3 much weight to give any aggravator or any mitigator.

4 JUROR NUMBER 205: Okay.

5 MR. BROWN: There's no magic formula of juror  
6 number one give aggravator number one X amount of  
7 weight, give mitigator number one Y amount of weight.

8 JUROR NUMBER 205: I understand.

9 MR. BROWN: She's not going to give you --  
10 actually tell you how to go about doing the process,  
11 there's no hint, it's up to you to decide how much  
12 weight to give to the aggravators, how much weight to  
13 give to the mitigators and it's a decision you as a  
14 juror individually have to make. The reason for that  
15 is the guilt phase your verdict has to be unanimous,  
16 in the sentencing phase, penalty phase the verdict  
17 does not have to be unanimous.

18 JUROR NUMBER 205: Unanimous on the mitigating  
19 or on the aggravating criteria or as a juror?

20 MR. BROWN: As a jury for your recommendation  
21 of life or death.

22 JUROR NUMBER 205: Okay.

23 MR. BROWN: What happens is if the jury is  
24 split 6/6 or a majority for life, then it comes back  
25 as a recommendation and that's how it's reported. If

1 there's a majority for death, it comes back as a  
2 death recommendation with the number recorded.

3 JUROR NUMBER 205: Okay.

4 MR. BROWN: So, if it's eight to four for death  
5 it comes back we the jury recommend by a vote of  
6 eight to four the death penalty. We don't know who  
7 voted for what. If you come back 12/0 for death then  
8 obviously we know how everyone voted. Anything shy  
9 of that we will not know who voted for what, but  
10 what's reported back to us is what the vote was, if  
11 it's a death recommendation, if it's tied or a  
12 majority life, it's a life recommendation. So,  
13 that's why you as a juror it's an individual decision  
14 that you have to make. Obviously, you go back there,  
15 you talk about it with each other, you know, what do  
16 you think about these aggravators, do you think  
17 they're proven, you can discuss how much weight, same  
18 thing with the mitigation, but ultimately it's up to  
19 you to determine what your vote is. You may have a  
20 different view than the juror next to you about how  
21 much weight to the different aggravators and how much  
22 weight for the mitigators, but you have to make that  
23 decision. There's no magic formula or magic. We may  
24 suggest, the attorneys, how much weight in arguments  
25 to give but it's ultimately your call. The key is is

1 that you're open to considering the list of  
2 aggravators that are provided and the list of  
3 mitigating, all the mitigation that's provided, not  
4 the list, but all the mitigation.

5 JUROR NUMBER 205: I understand.

6 MR. BROWN: Then what she's going to tell you  
7 is when you go through that weighing process, if the  
8 mitigation outweighs the aggravation, you're to  
9 recommend a life sentence. If it's the opposite  
10 where the mitigation does not outweigh the  
11 aggravation, then you're in a position where you're  
12 legally justified in recommending to the Court the  
13 death penalty.

14 She's not going to tell you if the State proves  
15 A, B, C and D that you must return a recommendation  
16 of death. In fact, what the Judge is going to tell  
17 you is that death is -- she's never -- it's never  
18 required that you vote for the death penalty. What  
19 is required is you consider everything and you go  
20 through that weighing process and if you go through  
21 that weighing process and you find that the  
22 mitigation does not outweigh the aggravation and that  
23 at that point after weighing you feel that the  
24 aggravators still justify the death penalty, then you  
25 can recommend a sentence of death. Any questions



1 about that process?

2 JUROR NUMBER 205: No, sir.

3 MR. BROWN: You feel confident in your ability  
4 to go through that?

5 JUROR NUMBER 205: Yes.

6 MR. BROWN: Okay. Part of the reason, as you  
7 can see, why I try to go through it step by step is  
8 yourself you came up here questioning, I think your  
9 response was if it's appropriate within the  
10 perimeters of the law you would follow the  
11 perimeters. Trying to make sure that you understand  
12 it and know what you have to do step by step. Do you  
13 feel comfortable in your ability to do that now that  
14 you know the process?

15 JUROR NUMBER 205: I hope it's more detailed  
16 than that along the way but yeah, I understand what  
17 you just explained to me.

18 MR. BROWN: Well, you'll have the list of  
19 aggravators and you'll hear the evidence. I can't  
20 really tell you at this point, you know, what the  
21 aggravators are, it's going to be information that  
22 will be forthcoming, and the mitigation you'll hear  
23 as well. So, with that process -- let me ask you  
24 this question. If you find that the State's proven  
25 aggravators, you go through the weighing process and

1           you feel that the mitigation does not outweigh the  
2           aggravators, the aggravators come out on top, and  
3           those aggravators justify the death penalty, can you,  
4           I'm not asking what you would do because at this  
5           point you don't know, can you recommend a sentence of  
6           death?

7           JUROR NUMBER 205: Yes, based on what you just  
8           said if the scales tipped one way or the other.

9           MR. BROWN: Right, right. And the key is if  
10          the aggravators still come out on top and still  
11          justifies the death penalty, that's when you're able  
12          to and you can recommend the death penalty.

13          JUROR NUMBER 205: Yes.

14          MR. BROWN: Okay. Are you open to considering  
15          the list of aggravators that the Court's going to  
16          give you?

17          JUROR NUMBER 205: Of course.

18          MR. BROWN: And likewise, the mitigation  
19          evidence, no one's going to ask you how much weight  
20          you would give to any aggravator or any mitigator  
21          because A, until you hear the evidence you don't  
22          know, and B, until you hear it all and go through the  
23          weighing process, it's impossible to know how much  
24          weight you would give.

25          JUROR NUMBER 205: I understand.

1 MR. BROWN: Are you open to considering the  
2 mitigation that the Defense provides?

3 JUROR NUMBER 205: Of course.

4 MR. BROWN: You may on a particular topic, be  
5 it an aggravator or mitigator, you may in the back of  
6 your mind think well, that's something I may not give  
7 a lot of weight to but that weight is entirely your  
8 choice to make, the key is can you consider it.

9 JUROR NUMBER 205: Of course.

10 MR. BROWN: Okay. The other aspect I just want  
11 to cover is, and unless I ask the question I don't  
12 know that the answer's going to be, some people come  
13 in with a concept or an idea of I would vote for the  
14 death penalty only under the following circumstances  
15 or circumstances such as if it's a mass murder, a  
16 mass murder or death but anything shy of that I would  
17 never consider the death penalty and therefore I  
18 wouldn't be open to what the Court, or the list of  
19 aggravators.

20 JUROR NUMBER 205: I don't have any  
21 predisposition that way, I believe in the law and  
22 provided to go by the law and the evidence.

23 MR. BROWN: Thank you, sir. No further  
24 questions, Your Honor.

25 THE COURT: Okay. Questions by the Defense.

1 MR. MOORE: Let's talk about your recollection  
2 of what you know or think you know. You know this  
3 has been a pretty drawn out process, this jury  
4 selection, I assume you know that?

5 JUROR NUMBER 205: Well, I'm Number 205 so I'm  
6 thinking.

7 MR. MOORE: Good deduction. All right. And  
8 you probably realize that's due in large part because  
9 of the extensive publicity and the impact that's had  
10 on a lot of people.

11 JUROR NUMBER 205: Okay.

12 MR. MOORE: And so you're differently situated  
13 from somebody who comes in here and -- which is  
14 extremely rare, I guarantee it, whose never heard  
15 anything about this case.

16 JUROR NUMBER 205: I'm sure that's very rare.

17 MR. MOORE: Yeah, it is, it is actually. And  
18 so what I'm trying to get at is the impact of what  
19 you know and how it would affect you in sitting on a  
20 jury and what you've listed is quite a lot. You  
21 indicated that you saw it on TV, I think newspapers  
22 and discussed it quite a bit at work which could be

23 

24 JUROR NUMBER 205: Yes, sir.

25 MR. MOORE: Fire station. And what you knew

1 was there was some sort of motel, some sort of  
2 robbery alleged and a pursuit and a stop, a shooting  
3 of Deputy Pill and a couple of people were  
4 apprehended, is that the heart of what you heard?

5 JUROR NUMBER 205: I didn't know anything about  
6 a motel.

7 MR. MOORE: About what?

8 JUROR NUMBER 205: A motel.

9 MR. MOORE: But the rest of it is pretty much  
10 included in what you recall?

11 JUROR NUMBER 205: It's a paraphrase, yeah, of  
12 what I said.

13 MR. MOORE: If I'm wrong, correct me.

14 JUROR NUMBER 205: I don't think that it was  
15 too different from what I said.

16 MR. MOORE: Okay. And also for that was there  
17 were a couple of codefendants. Do you remember  
18 hearing that, more than one codefendant?

19 JUROR NUMBER 205: Codefendant.

20 MR. MOORE: Codefendant, people who were  
21 arrested.

22 JUROR NUMBER 205: Yeah, a male and a female.

23 MR. MOORE: Okay. Mr. Bradley, black male, and  
24 a white female, do you recall that?

25 JUROR NUMBER 205: I don't -- I never -- I

1 don't remember that.

2 MR. MOORE: Okay. And there was some sort of a  
3 chase and then arrests were made of the two people,  
4 sound right?

5 JUROR NUMBER 205: Yeah.

6 MR. MOORE: And so -- and all of this happened  
7 in a relatively short period of time, maybe an hour  
8 or less, do you recall that?

9 JUROR NUMBER 205: I don't remember any  
10 timeframe.

11 MR. MOORE: Oh, okay. So, when you watched the  
12 news, when you read the newspapers, whatever the  
13 source of the news is, you do give some -- you do  
14 lend some credibility, believability to the news, you  
15 don't accept everything at face value but, you know,  
16 if you thought it was all baloney you wouldn't  
17 listen, you'd turn it off.

18 JUROR NUMBER 205: Sure. I have a unique  
19 position on that, I'm a PIO for the fire department,  
20 I work a lot in public relations.

21 MR. MOORE: PIO?

22 JUROR NUMBER 205: Public information officer  
23 for the department and I have a lot of contact with  
24 the media. So, I've had things that we've given in  
25 the media before (unintelligible). So, I try and

1 listen to a lot of different news sources and try and  
2 listen to everything and take (unintelligible).

3 MR. MOORE: All right. So, as far as what  
4 might be subject to spinning as you put it, probably  
5 the recording of Deputy Pill being shot and killed in  
6 the line of duty probably is accurate and that's  
7 something you probably wouldn't question.

8 JUROR NUMBER 205: Can you say that one more  
9 time?

10 MR. MOORE: Right. We're talking about looking  
11 at whatever news coverage is and you've seen quite a  
12 bit and discussed this quite a bit, taking out what  
13 you probably can accept as the truth or at least in  
14 your mind as the truth are accurate, more factual.  
15 Okay. As opposed to things that maybe aren't quite  
16 as well settled. Here's where I'm getting at.  
17 What's been reported about a deputy, Deputy Pill,  
18 having been following up on a robbery, having stopped  
19 a couple of suspects, having been shot dead in the  
20 line of duty probably would be the parts of the news  
21 coverage that you would accept as probably true,  
22 probably accurate.

23 JUROR NUMBER 205: There's evidence of it that  
24 that may be accurate, doesn't mean that it's all  
25 accurate. I'm answering your question, but it

1 shouldn't matter to answer that question because it  
2 doesn't pertain to the evidence that's presented in  
3 this courtroom, they're supposed to be two separate  
4 things.

5 MR. MOORE: That sounds good. I mean, it does,  
6 but not everybody can throw a switch and once having  
7 formed an opinion or an impression just suddenly  
8 magically erase it. Not everybody can do that. Most  
9 people cannot do that, that's why we're taking all  
10 this time to find out where you are and what you  
11 remember and how it might affect you.

12 JUROR NUMBER 205: Okay.

13 MR. MOORE: And I respect that you're  
14 indicating you would follow the law and I think what  
15 you said -- when asked if you had formed an opinion  
16 and it would affect your deliberations or your  
17 ability to follow the law, I think you said you would  
18 take responsibility for that or something along those  
19 lines.

20 JUROR NUMBER 205: I think it's an important  
21 responsibility.

22 MR. MOORE: A life is at stake, you know,  
23 there's nothing more important than that. A life has  
24 been lost and now a life is at stake and so what  
25 we're trying to get at is, what I'm getting at is you



1 understand the accuracy of reporting and I think you  
2 would agree that probably the accuracy of the  
3 reporting of Deputy Pill having been shot in the line  
4 of duty is probably accurate.

5 JUROR NUMBER 205: I would say that, yeah, I  
6 would agree with you.

7 MR. MOORE: How could they get that wrong in  
8 other words.

9 JUROR NUMBER 205: Yeah. It doesn't mean that  
10 it's not -- that the media doesn't try and put an  
11 emotional spin trying to get a reaction out of it is  
12 probably the reason.

13 MR. MOORE: Yeah, but, you know, that would be  
14 a pretty -- those would be pretty basic facts, hard  
15 to screw those up.

16 JUROR NUMBER 205: I would agree with you.

17 MR. MOORE: And it would be hard to screw up  
18 that a couple of people were arrested in connection  
19 with this.

20 JUROR NUMBER 205: Correct.

21 MR. MOORE: Either that happened or it didn't.

22 JUROR NUMBER 205: Of course.

23 MR. MOORE: And so in taking whatever it was  
24 you took and the way you reacted to it and then you  
25 discussed it, you said you were disgusted by it, I

1 understand, and you discussed this with a number of  
2 your colleagues at work.

3 JUROR NUMBER 205: Yes.

4 MR. MOORE: And probably members of the media  
5 as do interface with them quite a bit.

6 JUROR NUMBER 205: I didn't talk with any folks  
7 about what happened.

8 MR. MOORE: Your wife, family, you've got a lot  
9 of law enforcement members in your family, do you  
10 not?

11 JUROR NUMBER 205: I do, I do, and I think  
12 that's what was really challenging for me personally.  
13 I don't remember discussing it with my wife. I do  
14 remember discussing it, if you're asking, with my  
15 coworkers at the table and that's exactly what we  
16 discussed is what law enforcement we have in our  
17 lives.

18 MR. MOORE: That, but what you I think  
19 indicated was when you said you discussed it quite a  
20 bit at work was the facts of what happened, what you  
21 all believed happened in the death of Deputy Pill.  
22 That's the way I took it, is that right?

23 JUROR NUMBER 205: Yeah, I think that's right.

24 MR. MOORE: Sure. And so what was the  
25 consensus among the people you're talking about? I

1 mean, was it she yeah, Deputy Pill was shot, she was  
2 killed but, you know, they arrested some guy but they  
3 probably didn't get that right, you know, probably  
4 that's wrong?

5 JUROR NUMBER 205: Yeah, I remember there being  
6 like audio tapes.

7 THE COURT: Videotapes perhaps?

8 JUROR NUMBER 205: I think it was a videotape  
9 too.

10 MR. MOORE: Did you ever at any point before  
11 you walked into this courtroom ever question that  
12 Brandon Bradley was -- he's the alleged shooter? Did  
13 you ever question well, maybe he isn't? Is that a  
14 question that ever crossed your mind? Did you ever  
15 think about that?

16 JUROR NUMBER 205: No, no, I hadn't.

17 MR. MOORE: So, would it be fair to say that  
18 you did reach a point -- I don't want to put words in  
19 your mouth but we do have to get what it is the  
20 impact of what you heard on you, we have to get at  
21 it. Okay.

22 JUROR NUMBER 205: Sure.

23 MR. MOORE: Did you ever reach a point where,  
24 you know, you got an opinion about what happened,  
25 about your opinion about what Mr. Bradley's role was

1 in the death of Deputy Pill?

2 JUROR NUMBER 205: Just what I remember from  
3 the news was that Mr. Bradley was the primary --

4 MR. MOORE: The shooter allegedly?

5 JUROR NUMBER 205: Yeah, right.

6 MR. MOORE: And so that -- if somebody would  
7 have asked well, what happened, what did you hear in  
8 the news and you would have responded by saying well,  
9 all the things I just repeated and Mr. Bradley was  
10 shooter, you probably would have told them something  
11 along those lines before you came to this courtroom?

12 JUROR NUMBER 205: Sure, it doesn't mean that's  
13 what happened. Yeah, I see where you're going, yes,  
14 I would agree with that.

15 MR. MOORE: Right. But in terms of talking to  
16 your colleagues and everybody you discussed it with,  
17 that would have been consensus?

18 JUROR NUMBER 205: Of course, that's the only  
19 information I had.

20 MR. MOORE: That's not a legal opinion, that's  
21 just what people think from what they read.

22 JUROR NUMBER 205: Sure.

23 MR. MOORE: So, in terms of what you -- what  
24 your take away has about from what you have been  
25 exposed to is Mr. Bradley is the shooter?

1 JUROR NUMBER 205: Yeah.

2 MR. MOORE: Nothing wrong with thinking there.  
3 I mean, if that's your opinion, that's your opinion  
4 and -- but now the next step is could you -- if the  
5 Court said you have to put that aside and base your  
6 opinion -- your verdict strictly on what you hear in  
7 here and the law and not be influenced in any way by  
8 this opinion, which not only you hold but all the  
9 people you talked to, do you think you can do that,  
10 or do you have doubts about your ability to do that?  
11 I mean, now is the time to find out --

12 JUROR NUMBER 205: Sure.

13 MR. MOORE: -- if you think you have doubts.  
14 Nothing wrong if you do. If you do, you have to tell  
15 us. You see what I'm saying?

16 JUROR NUMBER 205: I do see what you're saying,  
17 the question that you asked me was if I have the  
18 ability to separate the two, what was the media  
19 influence before hand and what happened in this  
20 courtroom being separate.

21 MR. MOORE: Yes.

22 JUROR NUMBER 205: And I would say absolutely.

23 MR. MOORE: How would you do that? How would  
24 you set aside an opinion that you held for some time  
25 which you have shared with your friends and how would

1           you just not have that opinion and have it not affect  
2           what you decide in this courtroom? How would you do  
3           that?

4                    JUROR NUMBER 205: The reason that the  
5           opinion's formulated on the first circumstance is  
6           because it's only information. There's other  
7           information that's -- there's testimony or evidence  
8           to the contrary, of course, you would formulate a  
9           different opinion and I don't see the two bleeding  
10          into each other.

11                   MR. MOORE: Okay. You acknowledge that you had  
12          an opinion in Mr. Bradley's role in the death of  
13          Deputy pill that you had before you came in here  
14          today and you acknowledge that and your position is  
15          that you have no doubt that that would not affect  
16          your deliberations in this case, is that your  
17          position?

18                    JUROR NUMBER 205: Yeah, it wouldn't affect me.

19                    MR. MOORE: You sure about that?

20                    JUROR NUMBER 205: Positive.

21                    MR. MOORE: All right. Another aspect is  
22          you've got a lot law enforcement in your members of  
23          your family and your colleagues are all brothers in  
24          arms. I mean, you might be firefighters but there's  
25          not a huge wall between firefighters and law

1 enforcement officers, you all interact, you all  
2 respond often to the same emergencies and I believe  
3 your -- you have been on the police and fire pensions  
4 board.

5 JUROR NUMBER 205: I am.

6 MR. MOORE: And so what --

7 JUROR NUMBER 205: They're separate actually  
8 but we hold meetings together.

9 MR. MOORE: What is upshot? I can guess what  
10 it is, but what is your involvement in that, what  
11 service does that provide?

12 JUROR NUMBER 205: I'm currently the  
13 [REDACTED] for the retirement board for the  
14 firefighters and what that is that we all contribute  
15 money and the city contributes money, we put it into  
16 a very large portfolio which is similar to a 401K but  
17 we're able to purchase other products that may not be  
18 available to other folks that 401Ks and the money  
19 grows and then there's a set amount of defined  
20 benefits standards that once you reach retirement  
21 that you get those benefits.

22 MR. MOORE: The beneficiaries are firefighters?

23 JUROR NUMBER 205: Firefighters only, yes.

24 Like I said, the fire board and the police board meet  
25 together in the same room, they're separate boards,

1 we share the lawyer, share the expense basically.

2 MR. MOORE: Okay. Did you -- were you aware of  
3 when the funeral for Deputy Pill took place?

4 JUROR NUMBER 205: No.

5 MR. MOORE: Or any memorial services for her?

6 JUROR NUMBER 205: No.

7 MR. MOORE: How about the dedication of the  
8 building in Titusville that took place late last  
9 Thursday, might have been Thursday before?

10 JUROR NUMBER 205: I have a three and five year  
11 old and I'm on the pension board and I've been  
12 battling with the city to keep our retirements.

13 MR. MOORE: Let me ask this. Do you want to be  
14 on this jury?

15 JUROR NUMBER 205: Do I want to be on the jury?

16 MR. MOORE: Yeah.

17 JUROR NUMBER 205: Not really to be honest with  
18 you, I'd rather be home with my family and my kids,  
19 but I'm (unintelligible), I've never been chosen for  
20 a jury duty before outside of work related and so I'm  
21 here because it's my responsibility.

22 MR. MOORE: Well, let me put this question to  
23 you. Given your dedication where you put your life  
24 on the line just like law enforcement officers to and  
25 you're all -- I don't mean to sound trite, but you



1 are brothers in arm, you all put yourselves out  
2 there, take risks.

3 JUROR NUMBER 205: We have a love/hate  
4 relationship with the police.

5 MR. MOORE: Oh, do you?

6 JUROR NUMBER 205: Yeah. No. Yeah, there's  
7 some comradery there.

8 MR. MOORE: Well, you probably see where I'm  
9 going with this. I mean, how would you feel -- plus  
10 you have your colleagues and you know how they  
11 weighed in on this, what if you were part of the jury  
12 that acquitted Mr. Bradley, how would you face all  
13 the members of your family who are in law enforcement  
14 and all of your colleagues at work and all of the law  
15 enforcement officers that you run into and know and  
16 are friends with, I mean, how would you -- what would  
17 you say to them?

18 JUROR NUMBER 205: That wouldn't affect me as  
19 far as I'm a little different than other folks and I  
20 believe in grace where grace is due and I believe in  
21 punishment where punishment is due. I've had  
22 circumstances in my life to where my whole life  
23 changed because of one instance of grace being given.  
24 So, I'm not worried about what other people think or  
25 who I have to answer to, that's it.

1 MR. MOORE: Well, same question one step  
2 removed and that's the ultimate question I suppose is  
3 if you were part of the jury that recommended a life  
4 sentence and Mr. Bradley got that sentence, do you  
5 think (unintelligible).

6 JUROR NUMBER 205: Sure.

7 MR. MOORE: And how would you, you know, how  
8 would you deal with your -- the same people, the  
9 people in your life you care the most about and your  
10 family in law enforcement your colleagues, how would  
11 you deal with that?

12 JUROR NUMBER 205: I look at it through the  
13 lenses of a business decision and not that there's  
14 any personal gain involved, but that I have a  
15 responsibility as a citizen and to the State to  
16 behave and act a certain way and to participate in  
17 the process. I deal with labor law a bit on the  
18 side, it's not having anything to do with criminal  
19 law at all, but I do understand the perimeters of  
20 what the law affords and the value of following what  
21 the law provides for. So, you know, and I think my  
22 responsibility is to do that in that seat in that  
23 capacity without outside influence.

24 MR. MOORE: You say you have a love/hate  
25 relationship with police officers, I get that, but

1           however I would venture to guess that you respect  
2           them.

3                     JUROR NUMBER 205:   Of course.

4                     MR. MOORE:   And you respect firefighters as  
5           well?

6                     JUROR NUMBER 205:   Of course.

7                     MR. MOORE:   You are one.

8                     JUROR NUMBER 205:   Police want to be  
9           firefighters but.

10                    MR. MOORE:   Is that something that you  
11           (unintelligible) at happy hour.   Okay.   So, I'll let  
12           you take care of that.

13                    JUROR NUMBER 205:   Yes.   Yeah, but both of my  
14           grandfathers were police officers, my mom worked for  
15           Broward Sheriff's Office, she's just retiring next  
16           week, my grandfather on my dad's side worked for NYPD  
17           and my grandfather on my mom's side worked for  
18           Hollywood.

19                    MR. MOORE:   Go ahead.

20                    JUROR NUMBER 205:   So, that's involved with law  
21           enforcement in my family.   I have military, both my  
22           parents were firefighters, long line of public  
23           service and again that none of that bleeds into  
24           what's happening here today in my mind and in my  
25           heart.

1 MR. MOORE: Well, you do acknowledge a very  
2 clothes tie in many ways with law enforcement.

3 JUROR NUMBER 205: Sure.

4 MR. MOORE: And if you were presented with  
5 testimony of a police officer and it came into  
6 conflict with a non police officer, would you tend to  
7 find the testimony of the police officer more  
8 believable or more reliable or more credible?

9 JUROR NUMBER 205: I absolutely would not. And  
10 that may be hard for some folks to believe in here,  
11 but I take everything at face value and my life is  
12 just a little bit simpler that way and that's who I  
13 would my position here.

14 MR. MOORE: All right. Definitely. You've  
15 indicated that you are in support of it, you are not  
16 against it.

17 JUROR NUMBER 205: Not for it.

18 MR. MOORE: You don't disagree with it?

19 JUROR NUMBER 205: Yeah.

20 MR. MOORE: And so if we had to put you in one  
21 of two columns, and these are columns, one is for it,  
22 one is against it, you would go in, in my opinion,  
23 you would go in the for column with qualifications,  
24 with some conditions, but you're definitely not in  
25 the against column.

1 JUROR NUMBER 205: Well, I think my --

2 MR. MOORE: I've listened to everything you  
3 said.

4 JUROR NUMBER 205: Explain (unintelligible)  
5 right now.

6 MR. MOORE: We're just discussing, for  
7 discussion purposes we've got to put you somewhere.

8 JUROR NUMBER 205: So, you're asking if I'm a  
9 death guy or life guy? Are you asking me --

10 MR. MOORE: All right. I'm arbitrarily picking  
11 two columns, one is for death, one is against death.  
12 Now, some people came in and say I'm against it, I  
13 put them in there. Other people come in and say I'm  
14 for it and they go in the for column, or I'm not  
15 against it which means they don't go in the against  
16 because they're not against, they go in for. And  
17 I've listened to everything you said. I understand,  
18 however, for discussion purposes I would put you in  
19 the -- not in the against column but in the for  
20 column, can you accept that for our discussion?

21 JUROR NUMBER 205: For the death.

22 MR. MOORE: For the death penalty. Not in this  
23 case, I'm not saying in this case.

24 JUROR NUMBER 205: You're saying in general in  
25 life?

1 MR. MOORE: Outside the courtroom.

2 JUROR NUMBER 205: I disagree with you  
3 completely.

4 MR. MOORE: So, you're in the against column?

5 JUROR NUMBER 205: I think when it's  
6 appropriate. I think that there's more benefit in  
7 life when people are given chances and I think that  
8 remediation is real and that people rehab from things  
9 no matter how severe they might be. So, I would  
10 disagree with the column that you put me in.

11 MR. MOORE: All right. Then let me ask this.  
12 Would you agree that it would not be appropriate to  
13 put you in the against the death penalty column? I'm  
14 just talking in general, I'm not talking in  
15 relationship to this case.

16 JUROR NUMBER 205: I would say I'm right there  
17 stuck in the middle of line between the two of them.

18 MR. MOORE: Right in between?

19 JUROR NUMBER 205: Yeah.

20 MR. MOORE: All right. Can you think of  
21 reasons, policy reasons why we have the death  
22 penalty? Not related to this case. Again, we're  
23 talking about -- let's say we ran into each other  
24 outside the courtroom, we just started talking and  
25 get into this discussion how you do with people,

1 right, and we're talking about -- gets around to the  
2 death penalty and my question is well, what's your  
3 position on the death penalty and you say well,  
4 you're not against it.

5 JUROR NUMBER 205: That's right, I'm not  
6 against it, I think it depends on the severity of the  
7 circumstances and what happened to the case.

8 MR. MOORE: All right. Then step back a little  
9 bit and can you think of reasons why the death  
10 penalty is the law in Florida?

11 JUROR NUMBER 205: I don't know anything about  
12 criminal law in Florida.

13 MR. MOORE: I don't expect you to, but it is  
14 the law and if you were the governor and the governor  
15 had to take a position on the death penalty and  
16 someone said governor, why do we have that law on the  
17 books here? So, would you be able to -- and you're  
18 not a lawyer, but can you think of reasons why the  
19 death penalty exists?

20 JUROR NUMBER 205: I would imagine because of  
21 crimes (unintelligible) that that's the solution or  
22 maybe there's a financial implication of supporting  
23 someone for X amount of years versus -- I don't know.  
24 I don't know the answer to your question. Never  
25 thought of that.

1           MR. MOORE:  Would finances be a factor for you  
2           in trying to figure out what to recommend in this  
3           case?

4           Can you think of, as you mentioned, heinous,  
5           the word you used, that one of the reason we have for  
6           heinous homicides, can you think of a type of  
7           homicide that you may have heard about, and you can  
8           probably think of a short list a number of those,  
9           where the first thought in your mind was that  
10          certainly should be a death case because it's a  
11          serial murder or because it involves torture and  
12          murder of kids, or -- and we can go, but just to  
13          throw those out where you think oh, that guy or gal  
14          deserves death?

15          JUROR NUMBER 205:  Yeah, and that would be with  
16          the stipulation that there's evidence that proves  
17          that the person is doing those things because there's  
18          been several cases of murder and homicide --

19          MR. MOORE:  Well, assuming they did.

20          JUROR NUMBER 205:  Okay.  Assuming that they  
21          did.  So, that pre-qualifier is in play would be,  
22          yeah, a murder of kids would be like an immediate for  
23          me.

24          MR. MOORE:  All right.  Well, can you think of  
25          the type of homicide, let's talk about murder of



1 kids, which has nothing to do with this case, where  
2 you would not consider any mitigating circumstances?

3 JUROR NUMBER 205: No, I there's always two  
4 sides to a coin and that people are broken because of  
5 reasons because of their past or history.

6 MR. MOORE: So, do you believe that we all the  
7 end product of our life experiences, shaped by our  
8 life experiences?

9 JUROR NUMBER 205: Yeah, part of it.

10 MR. MOORE: Okay. Well, let me ask about  
11 potential mitigating circumstances and whether or not  
12 you would be open to considering these. Not to say  
13 what your ultimate decision would be, but are you  
14 open to considering these. All right. If you heard  
15 testimony from qualified experts in the mental health  
16 field Mr. Bradley suffered from mental, a mental  
17 illness, is that something you would be open to  
18 consider?

19 JUROR NUMBER 205: Sure.

20 MR. MOORE: And if you heard testimony that --  
21 by again qualified experts of Mr. Bradley having  
22 signs of brain injury, brain damage, is that  
23 something that you would be willing at least to  
24 consider?

25 JUROR NUMBER 205: That's true.

1 MR. MOORE: You acknowledge you -- you  
2 recognize the difference between drug use and drug  
3 addiction?

4 JUROR NUMBER 205: Yes.

5 MR. MOORE: Do you believe that drug addiction  
6 is a choice?

7 JUROR NUMBER 205: No, I believe that drug use  
8 is a choice.

9 MR. MOORE: Do you see that some people have  
10 struggled with drug addiction and for them it's  
11 either a very difficult choice or no choice at all to  
12 stop?

13 JUROR NUMBER 205: I'm very familiar with it.

14 MR. MOORE: Have you met people who have  
15 struggled with drug addiction, or alcohol?

16 JUROR NUMBER 205: All the time, part of my  
17 job.

18 MR. MOORE: And so if you were presented with  
19 testimony of drug abuse, drug addiction, is that  
20 something you would be open to considering?

21 JUROR NUMBER 205: Yes.

22 MR. MOORE: If you were presented with  
23 testimony of childhood physical, verbal and emotional  
24 abuse, would you open to consider, considering that?

25 JUROR NUMBER 205: Yes, sir.

1 MR. MOORE: If, again speaking hypothetically,  
2 a verdict of first degree murder, guilty of first  
3 degree murder were reached and then the penalty phase  
4 commenced, do you understand that each juror has the  
5 right to his or her own individual vote as to what  
6 the recommendation should be?

7 JUROR NUMBER 205: Yes.

8 MR. MOORE: And how that's different from the  
9 guilt/innocence phase when you're dealing with  
10 whether there's guilt or innocence of the underlying  
11 charges. What I'm getting is you have the right to  
12 have that opinion respected and you don't have to  
13 explain it or justify whatever your vote is about the  
14 penalty, as to the penalty.

15 JUROR NUMBER 205: Yeah, I understand.

16 MR. MOORE: The other side of that is you have  
17 an obligation to extend that courtesy to the other  
18 members of the jury and not try to twist arms or  
19 browbeat or (unintelligible), and I'm not saying you  
20 would, but you have an obligation to accept and  
21 respect their individual votes.

22 JUROR NUMBER 205: Of course.

23 MR. MOORE: Okay. Do you understand that life  
24 without -- if you get to the penalty phase, life  
25 without parole is never off the table? In other

1 words, it's always an option. Even if you find that  
2 the State has proven an aggravating circumstance  
3 beyond a reasonable doubt, you find they proven  
4 several of those, you are still never -- first of  
5 all, you're not required to vote for death ever.

6 JUROR NUMBER 205: (Unintelligible).

7 MR. MOORE: That is fine, but death is never --  
8 life is never off the table. You can find all the  
9 aggravating circumstances that they present to you  
10 have been proven, you can find no mitigating  
11 circumstances, and this is hypothetically, and then  
12 still life without parole is still an option, that's  
13 appropriate.

14 JUROR NUMBER 205: Sure.

15 MR. MOORE: Okay. May I have a moment?

16 THE COURT: Yes, you may.

17 (Thereupon, a pause was taken in the  
18 proceedings.)

19 MR. MOORE: Thank you, sir.

20 JUROR NUMBER 205: Thank you.

21 THE COURT: Okay. Juror Number 205, I am going  
22 to release you for today. You are still being  
23 considered as a juror in this case. I need you to  
24 report tomorrow at 8:30 a.m. downstairs in the jury  
25 assembly room for the second phase portion of the

1 jury selection.

2 During this recess you must continue by the  
3 rules governing your service as a juror. Do not  
4 discuss this case with anyone else. You can give out  
5 the information that you gave out before, that's  
6 appropriate, but not any other information. Don't --  
7 avoid reading newspaper headlines and articles about  
8 this case. Avoid seeing or hearing television or  
9 radio comments about the case, Internet comments, and  
10 do not conduct any independent research. Any  
11 questions or concerns?

12 JUROR NUMBER 205: No, Your Honor, thank you.

13 THE COURT: Okay. Thank you. We'll see you  
14 tomorrow.

15 (Thereupon, Juror Number 205 exited the  
16 courtroom.)

17 THE COURT: We're going to take a break but  
18 before we do that I just wanted you to review this  
19 letter to see if I can go ahead and release her or if  
20 you want me to bring her in for questioning.

21 MR. MOORE: Miss [REDACTED]

22 THE COURT: Yes.

23 MR. MOORE: No objection.

24 MR. BROWN: Is this the one with the  
25 (unintelligible) problem?

1 MR. MOORE: Right.

2 MR. BROWN: No objection.

3 THE COURT: Okay. Then I will go ahead and  
4 release Juror 206 and that will be released for  
5 cause. We'll take a fifteen minute break. Be back  
6 here at 4:00 and we'll start with Juror 207. Thank  
7 you.

8 (Thereupon, a recess was taken in the  
9 proceedings.)

10 THE COURT: Okay. We can bring in Mr. Bradley.

11 (Thereupon, the defendant was escorted into the  
12 courtroom by the court deputy.)

13 THE COURT: Okay. Unless I hear something  
14 else, we'll bring in Juror Number 207. Previously  
15 someone made a request to bring someone with a child  
16 in the courtroom and I told them no children in the  
17 courtroom. I didn't think it was an appropriate case  
18 for children under age to be in this courtroom during  
19 this trial. So, I just wanted everyone to know I  
20 made that announcement.

21 (Thereupon, Juror Number 207 was escorted into  
22 the courtroom by the court deputy and the proceedings were  
23 had as follows:)

24 THE COURT: Okay. Juror Number 207.

25 MR. LANNING: Judge, about the age, not of her,

1 what you were just speaking about, the age of the --

2 THE COURT: It was a young child but I said no  
3 children. I mean --

4 MR. PIROLO: It's not an issue, I spoke to the  
5 person, it's not an issue.

6 THE COURT: Okay. I said -- I didn't -- I made  
7 a ruling with regard to any children. Okay. Any  
8 minor children. I just don't think it's an  
9 appropriate case for minor children to be in the  
10 courtroom, so.

11 Okay. Good afternoon Juror Number 207.

12 JUROR NUMBER 207: Hello.

13 THE COURT: First of all, I want to thank you  
14 for being here. Thank you for your patience with us  
15 with regard to this process. When I spoke to you not  
16 yesterday but the day before we talked about some  
17 rules. Those rules came into effect when you came  
18 into the courthouse that day and when I announced  
19 them. So, I'm going to ask you about the rules since  
20 that time. So, since that time have you read or been  
21 exposed to reading newspaper headlines and/or  
22 articles relating to this trial are its participants?

23 JUROR NUMBER 207: No.

24 THE COURT: Have you seen or heard television,  
25 radio, or Internet comments about this trial?

1 JUROR NUMBER 207: No.

2 THE COURT: Have you conducted or been exposed  
3 to any research regarding any matters concerning this  
4 case?

5 JUROR NUMBER 207: No.

6 THE COURT: And have you discussed this case  
7 with any other jury members or with anyone else or  
8 allowed anyone to discuss it in your presence?

9 JUROR NUMBER 207: No.

10 THE COURT: I'm going to ask you some questions  
11 this afternoon. There are no right or wrong answers.  
12 The attorneys may ask you some questions as well.  
13 What we ask of you is that you be honest, complete,  
14 frank. Sometimes people say Judge, can I say this or  
15 Judge, can I tell you this? You can tell me or say  
16 whatever you wish to say. This is your opportunity  
17 to give us information that you think that we need to  
18 know in order to complete this process. Also, we'll  
19 ask you some questions that may solicit a yes or no  
20 response. If the answer is I don't know, that's  
21 appropriate too. We may ask you some questions that  
22 you never thought about before. So, it could be  
23 difficult at times. But I'm going to talk to you  
24 about your knowledge, prior knowledge of the case and  
25 then I'm going to talk to you about the death



1 penalty. So, the first question I ask is pretty  
2 easy. Do you know about this case either from your  
3 own personal knowledge, rumor, by discussions with  
4 anyone else, or from the media, including radio,  
5 television, Internet, electronic device, or  
6 newspaper?

7 JUROR NUMBER 207: Yes.

8 THE COURT: Okay. Tell me what information you  
9 believe you know about the case.

10 JUROR NUMBER 207: I believe that some  
11 furniture was stolen from an Econo Lodge.

12 THE COURT: Okay.

13 JUROR NUMBER 207: And they left and then the  
14 deputy came upon them somehow and then she was shot.

15 THE COURT: So, you know -- when you say they,  
16 you know there was more than one person?

17 JUROR NUMBER 207: Yes, I think there was two  
18 people.

19 THE COURT: Okay. What do you know about that,  
20 the two people?

21 JUROR NUMBER 207: A boy and a girl, I'm not  
22 sure.

23 THE COURT: Okay. So, a boy and maybe a girl  
24 but you know it was another person?

25 JUROR NUMBER 207: Yes.

1 THE COURT: Do you know anything about the  
2 other person?

3 JUROR NUMBER 207: No.

4 THE COURT: Anything about that person's case?

5 JUROR NUMBER 207: No.

6 THE COURT: And when did you hear this  
7 information?

8 JUROR NUMBER 207: I can't remember but I just  
9 know that I had read it in the news at the time it  
10 happened.

11 THE COURT: Okay. So, at the time that it  
12 happened. What about since then, have you heard  
13 anything since then?

14 JUROR NUMBER 207: Just recently before I knew  
15 I was coming here and I knew they were looking for  
16 jurors.

17 THE COURT: Okay. So, you knew that we were  
18 picking a jury in this case?

19 JUROR NUMBER 207: Right.

20 THE COURT: Did you see pictures of Mr. Bradley  
21 on in the news?

22 JUROR NUMBER 207: I don't think I did. I  
23 don't remember.

24 THE COURT: Okay. And what -- where did you --  
25 where would you have gained this information?

1 JUROR NUMBER 207: What information?

2 THE COURT: The information you know about this  
3 case. From television?

4 JUROR NUMBER 207: Probably the TV. I don't  
5 remember reading anything about it.

6 THE COURT: Do you read the newspaper?

7 JUROR NUMBER 207: TV or the Internet.

8 THE COURT: Do you read the newspaper on a  
9 regular basis?

10 JUROR NUMBER 207: No. If it's on the front  
11 page I might look at it.

12 THE COURT: Do you get the newspaper?

13 JUROR NUMBER 207: Yes.

14 THE COURT: Okay. But you kind of read some  
15 and not read some?

16 JUROR NUMBER 207: I use to read it a lot and  
17 my husband wants to continue getting the paper and I  
18 don't really read it now.

19 THE COURT: But you do watch the news?

20 JUROR NUMBER 207: Um-hmm.

21 THE COURT: What's your news watching habits,  
22 local news?

23 JUROR NUMBER 207: Well, we just switched over  
24 to AT&T and we don't get Channel 13 anymore. So, we  
25 use to -- you know, that would be on quite a bit but

1 we normally watch Fox in the evening.

2 THE COURT: So, you would watch -- you watch  
3 some news in the evening. Local news?

4 JUROR NUMBER 207: Not really local news, we  
5 use to watch Channel 13 but we don't.

6 THE COURT: So, you now you watch more national  
7 news?

8 JUROR NUMBER 207: Yes.

9 THE COURT: When you heard about this case, did  
10 it make any impressions on you? Did it solicit any  
11 kind of an emotional response?

12 JUROR NUMBER 207: It was sad that somebody  
13 shot someone else and died.

14 THE COURT: Okay. Anything beyond that? I  
15 mean, most people would feel that way. Did you get  
16 angry, did you -- have you thought about it since  
17 then, things of that nature?

18 JUROR NUMBER 207: I didn't get angry, I just  
19 thought it was a sad situation to happen.

20 THE COURT: Okay. For purposes of what you --  
21 what information you know, what we ask you in this  
22 case is can you set aside anything you may have  
23 learned, serve with an open mind and reach a verdict  
24 based only on the law and the evidence presented in  
25 this trial in this courtroom, can you do that?

1 JUROR NUMBER 207: Yes.

2 THE COURT: Okay. What if you've heard all the  
3 evidence in this courtroom and you go back to  
4 deliberate and you all of a sudden go you know, I  
5 remember some information I heard about this case but  
6 it never came in as evidence in the courtroom, I  
7 never heard that, could you set that aside and not  
8 consider that?

9 JUROR NUMBER 207: Sure.

10 THE COURT: Okay. Any doubts about your  
11 ability to do that?

12 JUROR NUMBER 207: No.

13 THE COURT: Okay. Any criminal case and in  
14 this case the State has the burden of proof. They  
15 have to prove each element of each crime beyond and  
16 to the exclusion of every reasonable doubt. I'm  
17 going to talk about that more later, but at this time  
18 I'll tell you that they have the burden of proof.  
19 The State -- I mean, it's the State's burden, the  
20 State knows that's their burden, that's the same  
21 burden in every criminal case. The Defense do not  
22 have to prove anything. The Defense and the  
23 defendant do not have to prove anything. In fact,  
24 they're considered -- because there's no evidence  
25 before you and at the beginning of case the defendant

1 is presumed to be not guilty. In fact, he's presumed  
2 to be innocent. The presumption -- when you hear the  
3 presumption of innocence, that's what that means.

4 So, as you sit there today, can you assume the  
5 defendant to be innocent and hold the State to their  
6 burden of proof as the law would require you to do if  
7 you were to serve as a juror?

8 JUROR NUMBER 207: I guess I'd have to. I  
9 mean, you know, I've never been in this situation  
10 before. So, you would have to come into it knowing  
11 that he's innocent until the State proves him guilty.

12 THE COURT: Okay. That is what's required, but  
13 we understand that there's been -- you know, very few  
14 people have come in here and said they don't know  
15 anything about this case. You know, there's been a  
16 few but very few. So, we understand that people know  
17 things about this case and we understand that you  
18 may -- the press may have presented a side of the  
19 case and that you may have some assumptions that  
20 he's, that he's guilty of the crime charged, but what  
21 we say is can you set that aside, say Judge, no, I  
22 know I saw that, I know that but I'm going to come in  
23 here, I'm going to start with a clean slate, I'm  
24 going to make the State prove their burden and I'm  
25 going to give the defendant the presumption of

1 innocence. And you know what, only you know whether  
2 you can do that and it's not -- we don't want you to  
3 say yes, Judge, I can do that to please me. It  
4 doesn't matter to me. We're all just doing our job  
5 in here. What matters to me and what matters to  
6 everyone is what you can do and if you can do it, we  
7 want you to tell us, and if you just say no, Judge,  
8 you know what, I just can't do that. I heard too  
9 much, I know too much, I have an idea, I have an  
10 impression, I just can't do that. So, you have to  
11 help us and tell us what you think you can do.

12 JUROR NUMBER 207: I think I can do that.

13 THE COURT: Okay. When you say I think, some  
14 people say I think because they're not sure and you  
15 would be surprised how many people say I believe, I  
16 think as a matter of speaking. Once I realize people  
17 say that I even realize that I say that sometimes.  
18 So, what they're going to say is -- so, what I'll ask  
19 you, are you confident in your ability to do that?

20 JUROR NUMBER 207: Yes.

21 THE COURT: I'm going to switch gears on you  
22 now. Do you know -- what are your views about the  
23 death penalty?

24 JUROR NUMBER 207: The death penalty is an  
25 awful thing but I think it is necessary sometimes.

1 THE COURT: Okay. So, if I had to put you in a  
2 for or against category because those are the only  
3 two categories available, I have to say that you're  
4 for?

5 JUROR NUMBER 207: Yes.

6 THE COURT: Okay. But you said -- it sounds  
7 like you have some reservations.

8 JUROR NUMBER 207: Well, you know, they're  
9 killing -- (unintelligible) or whoever to kill  
10 someone so, yes.

11 THE COURT: Okay. In this case in the  
12 beginning part of this case we have what we call the  
13 guilt phase. In the guilt phase if the jury returns  
14 a verdict of guilty on Count I, and it only pertains  
15 to Count I, Count I is murder in the first degree,  
16 there's a guilty verdict to Count I, murder in the  
17 first degree, then and only then we move on to a  
18 penalty phase and that's the second phase. We call  
19 it the penalty phase. And if you remember from the  
20 other day, in the penalty phase you're going to hear  
21 evidence of aggravation, aggravating circumstances  
22 and evidence of mitigating circumstances.  
23 Aggravating makes things worse, mitigating makes  
24 things less. And you're going to hear evidence by  
25 the State and the Defense of aggravating



1           circumstances and mitigating circumstances and at the  
2           end of the evidence I'm going to instruct you as the  
3           juror, jury, juror to make a recommendation to me of  
4           a possible penalty of life in prison without the  
5           possibility of parole or death. You would have to be  
6           able to consider both penalties. Now, what you do as  
7           a juror is your decision and your decision only but  
8           what we talk about is can you consider, can you look  
9           at everything before you and give it due weight and  
10          look at everything and consider it before you make a  
11          recommendation. So, would you be able to consider  
12          both possible penalties?

13                 JUROR NUMBER 207: Yes.

14                 THE COURT: Now, are you of the opinion that  
15                 the only appropriate penalty for murder in the first  
16                 degree would be death?

17                 JUROR NUMBER 207: No.

18                 THE COURT: Okay. So, you would be open and --  
19                 in this particular case you would be open to consider  
20                 both possible penalties, death or life in prison  
21                 without the possibility of parole?

22                 JUROR NUMBER 207: Yes.

23                 THE COURT: Okay. Remember, no one is going to  
24                 ask you your ultimate opinion, they're just going to  
25                 ask you if you can consider things and if you can,

1 say yes, if you can't, say no, and if you don't know,  
2 say I don't know. Okay?

3 JUROR NUMBER 207: Okay.

4 THE COURT: Okay. Questions by the State.

5 MR. BROWN: Yes, Your Honor. Juror Number 207,  
6 good afternoon.

7 JUROR NUMBER 207: Hi.

8 MR. BROWN: Let me talk to you a little bit  
9 about what you heard and you indicated it's from the  
10 news, mainly the TV, and as the Judge talked to you  
11 about, what we need is you to be able to come in here  
12 in you're selected as a juror and start with a clean  
13 slate. In other words, base your verdict entirely on  
14 the facts and evidence that you hear from the witness  
15 stand and the evidence that you see in the courtroom.  
16 You understand it's important for you to do that,  
17 right?

18 JUROR NUMBER 207: Yes.

19 MR. BROWN: And so what you have to do is  
20 almost build that wall in your mind, just block off,  
21 set aside everything that you may have seen or heard  
22 about this prior to coming in here. You recognize  
23 that the media when they -- they're trying to keep  
24 everybody up to date as quick as they can may not  
25 always give a complete picture when they broadcast

1           it.  Though they may try their best, they may not  
2           always be completely accurate?

3                    JUROR NUMBER 207:  Yes.

4                    MR. BROWN:  And because as thing evolve they  
5           may learn more and things happen.

6                    JUROR NUMBER 207:  Right.

7                    MR. BROWN:  Sometimes they just -- they're  
8           just -- they done get it right.  Things happen,  
9           right?

10                   JUROR NUMBER 207:  Um-hmm.  Right.

11                   MR. BROWN:  And that's kind of way it's  
12           important to be able to set aside everything you may  
13           have seen or heard and base it just on the evidence  
14           and the testimony in the courtroom.  Do you have any  
15           question about your ability to build that wall in  
16           your mind and just base your verdict solely on what  
17           you hear?

18                   JUROR NUMBER 207:  No.

19                   MR. BROWN:  Okay.  Next thing I want to talk  
20           about is the death penalty itself and I want to go  
21           through the process with you step by step.  Some of  
22           what I'm going to talk about the Judge mentioned when  
23           she talked to you as a group on Tuesday but I  
24           realize, recognize she threw an awful lot of  
25           information at you all in a compressed period of

1 time. So, I intend to go through it step by step and  
2 make sure you understand the process and then I'll  
3 ask you some questions about it.

4 As she talked about to start with, death  
5 penalty applies only if the jury comes back with a  
6 verdict of first degree murder. You understand that?

7 JUROR NUMBER 207: Um-hmm.

8 MR. BROWN: If it's second degree murder, then  
9 the sentencing is entirely up to the Court. If it's  
10 any other lesser included crime, sentencing is to the  
11 Court. Not guilty, of course, there's no sentencing  
12 at all. So, the jury comes back, assuming they come  
13 back with first degree murder, there are two ways  
14 that the State can prove first degree murder. One is  
15 premeditated murder, the other is what's called  
16 felony murder and that's when a death occurs during  
17 the commission of a felony and the concepts and  
18 requirements will be explained to you later on in the  
19 process if you're ultimately selected, but either way  
20 results in a first degree murder conviction. In this  
21 case we may prove one, the other, or may prove both,  
22 but there's only one that needs to be proved and both  
23 result in a first degree murder conviction. And then  
24 that's what -- if there's a first degree murder  
25 conviction, then the death penalty is up for

1 consideration. And there's no automatic death  
2 penalty. It doesn't matter if it's the most heinous  
3 type of murder or multiple murders you can imagine,  
4 the death penalty is not automatic, the jury has to  
5 go through the process of looking at the aggravators  
6 and mitigators and weighing them.

7 Okay. So, if the jury comes back with first  
8 degree murder, we would reconvene, the jury would  
9 then hear additional evidence, the Court would give a  
10 final set of instructions. Where she would start  
11 with those instructions I would tell you to look at  
12 what are known as aggravating circumstances and as  
13 she told you Tuesday, that's a statutory base that  
14 are circumstances that may increase the gravity of  
15 the crime or the harm to the victim. And as you  
16 picture with the names aggravating and mitigating,  
17 those are circumstances which may justify the  
18 imposition of a death penalty, and those are the only  
19 circumstances that you can look to to justify a  
20 recommendation of death.

21 Now, for those circumstances, the State, we  
22 have to prove those, the burden of proof is beyond  
23 and to the exclusion of every reasonable doubt. Same  
24 burden that's in the guilt phase applies to the same  
25 for the aggravating circumstances. Now, the proof

1 may come from the original charges or additional  
2 evidence presented in the second portion of the  
3 trial, the sentencing phase, but as you can tell, the  
4 circumstances that increase the gravity of the crime  
5 or harm to the victim, a lot of that may come just  
6 from proving the case in what we call our case in  
7 chief because we're going into what happened. So,  
8 simply because you reached the second stage, you  
9 don't ignore everything that you found we've proven  
10 in the first case. We're just kind of building a  
11 house, every block counts. So, you look at those  
12 aggravating circumstances and the first question is  
13 has the State proven any of those beyond and to the  
14 exclusion of every reasonable doubt. If you find  
15 that none are proven, then since you found no  
16 aggravation you have to make a recommendation of  
17 life. If you find that some have been proven, at  
18 least one, maybe you've found that we've proved more  
19 than one, I expect the Judge's list is going to  
20 contain multiple, several of them, maybe three, four  
21 or five or so, if you find the State's proven at  
22 least, like I said, we may prove more than one, we  
23 may prove all of them, we look at those that have  
24 been proven and ask yourself do these aggravating  
25 circumstances justify the death penalty, if your

1 answer is no, of course, you would recommend life.  
2 If your answer is yes, that they do justify the death  
3 penalty, you move on to the next step in the process.

4 The next step is to look at the mitigating  
5 circumstances that have been proved. Now, the level  
6 of proof for the mitigating circumstances is less,  
7 it's to the greater weight of the evidence. So, it's  
8 less than the aggravating circumstances. Still a  
9 burden of proof, it's just a little lower. And  
10 mitigating circumstances as the Court told you come  
11 from the defendant, his life history, background,  
12 character, things of that nature.

13 JUROR NUMBER 207: Sounds (unintelligible).

14 MR. BROWN: So, it's, you know, history, things  
15 that have happened to him, that kind of stuff. And  
16 as aggravators -- the legal theory is aggravators may  
17 justify the imposition of the death penalty and they  
18 suggest to you that's appropriate, the mitigation is  
19 evidence that may suggest that perhaps life is the  
20 appropriate sentence. So, you get the aggravators  
21 and the mitigators and what the Court's going to tell  
22 you is you have to weigh those two against each other  
23 and you weigh those.

24 Now, have you had in your lifetime had to make  
25 some key, critical, important decisions?

1 JUROR NUMBER 207: Yes.

2 MR. BROWN: And when you made those decisions,  
3 did you try to look at all the factors involved?

4 JUROR NUMBER 207: Yes.

5 MR. BROWN: Try to consider everything, right?

6 JUROR NUMBER 207: Yes.

7 MR. MOORE: And when you're going through that  
8 process, some of those factors you looked at and you  
9 said, you know, these are pretty darn important to  
10 this decision, right?

11 JUROR NUMBER 207: Um-hmm.

12 MR. BROWN: And you gave them great weight.  
13 Other factors you looked at, you looked at them and  
14 you considered them and said this really isn't that  
15 important in the greater scheme of things and you  
16 gave it very little weight, right? Same process  
17 she's going to tell you that you go through here is  
18 that you have to decide how much weight to give to  
19 the aggravators and how much weight to give to the  
20 mitigators and weigh them against each other. It's  
21 not just a simple, you know, chalk line, which side  
22 has more, you have to determine the weight, weigh  
23 them against each other and that's what's she's going  
24 tell you to do.

25 Now, she's not going to tell you aggravator



1 number one gets X amount of weight. She's not going  
2 to tell you mitigator number one gets Y amount of  
3 weight. It's entirely up to you. There's no magic  
4 formula she's going to give you to decide how much  
5 weight to give to each thing. You as a juror, you  
6 individually have to decide how much weight to give.  
7 And part of the reason why you have to decide that is  
8 in the guilt phase the verdict has to be unanimous,  
9 whatever the verdict is, all twelve has to be  
10 unanimous. In the sentencing phase that's not the  
11 case, it does not have to be unanimous. What will  
12 happen is (unintelligible) the jury is split evenly  
13 at 6/6 or there's a majority recommending life, it  
14 comes back speaking as a life recommendation. If the  
15 majority recommends death. It comes back as a death  
16 recommendation. The only difference is that the  
17 number will be reported on a death recommendation.  
18 Whether it's 12/0 or down 7/5 for death or anywhere  
19 in between, the number gets reported. We don't know  
20 how each individual juror voted unless, of course,  
21 it's 12/0 in which case then we know. We may not  
22 always be the smartest people but that we can figure  
23 out. So, that's why it's you as an individual juror  
24 have to make up your own mind as to the weight and  
25 what your vote's going to be because it doesn't have

1 to be unanimous. Obviously, you go back there and  
2 you discuss it with your other jurors, you talk about  
3 what's been proven, talk about what you guys think  
4 the weight ought to be, but ultimately the decision  
5 is going to be yours. Another juror may disagree  
6 with you and have a different opinion upon the weight  
7 to give an aggravator, the weight to a mitigator.  
8 What the Judge is going to tell you is that you have  
9 to weigh those and when you do that weighing process  
10 if you find that the mitigators outweigh the  
11 aggravators, then your recommendation has to be for  
12 life. On the other hand, if you find that the  
13 mitigators do not outweigh the aggravators, then  
14 you're in a position where you're justified in  
15 recommending to the Court the death penalty.

16 Now, what the Judge is not going to tell you is  
17 that if the State proves A, B, C and D that you must  
18 recommend death. She's never going to say that. In  
19 fact, what she's going to tell you is that a death  
20 recommendation is never required. What is required  
21 is you go through that weighing process and if you go  
22 through that weighing process and you find the  
23 mitigators do not outweigh the aggravators and after  
24 doing that weighing process that those aggravators  
25 still justify the death penalty, that's when you can

1 recommend the sentence of death. Okay. You  
2 understand that process?

3 JUROR NUMBER 207: Yes.

4 MR. BROWN: And how do you feel about the  
5 process?

6 JUROR NUMBER 207: I'm (unintelligible). Like  
7 I said, I've never been in this situation before.

8 MR. BROWN: And I don't really necessarily  
9 think anybody else who we've called in has been.

10 JUROR NUMBER 207: I guess it would be possible  
11 to do that.

12 MR. BROWN: How do you feel about your ability  
13 to do that?

14 JUROR NUMBER 207: I can do that.

15 MR. BROWN: Okay. You know, the Judge talked  
16 about can you consider both penalties, can you  
17 recommend both penalties?

18 JUROR NUMBER 207: Yes.

19 MR. BROWN: So, if you feel it's justified, can  
20 you recommend a sentence of death?

21 JUROR NUMBER 207: Yes.

22 MR. BROWN: Do you come in with any  
23 preconceived notion or idea that, well, to recommend  
24 death under these certain circumstances, and what  
25 people tend to throw out is let's say a mass murder

1 or mass murder of children, but other than those  
2 circumstances I couldn't consider the death penalty.

3 JUROR NUMBER 207: No.

4 MR. BROWN: So, you're open to considering the  
5 aggravating circumstances that the Court's going to  
6 list for you?

7 JUROR NUMBER 207: Right.

8 MR. BROWN: And that's -- legally that's where  
9 you look to for the justification for the death  
10 penalty. Many that's all you look to but that's the  
11 legal justification would be those circumstances,  
12 aggravating circumstances.

13 JUROR NUMBER 207: Okay.

14 MR. BROWN: Likewise, you know, I'm not going  
15 to ask you a particular aggravator or a particular  
16 mitigator how much weight you would give that because  
17 at this point that would be an unfair question.

18 JUROR NUMBER 207: Because we don't have  
19 evidence.

20 MR. BROWN: Right. Right. And if we told you  
21 what it was, it's impossible to answer because until  
22 you hear all the evidence supporting it and until you  
23 hear the sum total of the aggravators and mitigation,  
24 you really can't weigh it until you know everything,  
25 right? Kind of like when you make your decision you

1 didn't take one piece of evidence and decide how much  
2 weight, or one factor, you looked at all the factors  
3 and that's how you decided the weight, right?

4 JUROR NUMBER 207: Um-hmm.

5 MR. BROWN: But the key here is that you're --  
6 what's been proven to you, that's what you have to  
7 consider.

8 JUROR NUMBER 207: Yes.

9 THE COURT: And you may think to yourself,  
10 well, I may not necessarily give that particular  
11 aggravator or mitigator a lot of weight but I'm open  
12 to consider it, and that's the key. Confident in  
13 your ability to do that?

14 JUROR NUMBER 207: Yes.

15 MR. BROWN: And the last thing that I do want  
16 to cover, as we talked about when I first came up  
17 here, if you return a verdict of second degree  
18 murder, the death penalty is off the table, you don't  
19 come back for the second stage, the second phase  
20 because we wouldn't be here. The concern that I have  
21 that I ask most of the people that have come up is  
22 that in some way the thought process of, well, you  
23 know, State's proven first degree murder but I really  
24 don't want to be put in the spot where I have to make  
25 that decision so I'm just going to go down to second

1 degree murder to avoid that. You see the concern  
2 that is there?

3 JUROR NUMBER 207: Yes.

4 MR. BROWN: Would that affect your verdict in  
5 any way, that type of thinking?

6 JUROR NUMBER 207: No.

7 MR. BROWN: You would agree that justice is  
8 that you return the verdict that the evidence proves?

9 JUROR NUMBER 207: Yes.

10 MR. BROWN: And if that means you come back for  
11 the second stage, then that's what you need to do?

12 JUROR NUMBER 207: Right.

13 MR. BROWN: Thank you. Your Honor, I have no  
14 further questions.

15 THE COURT: Okay. Questions by the Defense.

16 MR. MOORE: I'd like to start with what you  
17 remember and what you think you know about the case  
18 from whatever source, TV and the newspapers primary.  
19 I think you said that if it's on the front page you  
20 read it?

21 JUROR NUMBER 207: Yeah. Yeah, I'll bypass it  
22 on my way to work.

23 MR. MOORE: This story has been on the front  
24 page more than once in the last two years, you  
25 probably know that because you probably had seen it.

1 JUROR NUMBER 207: Well, I really don't know  
2 that much about the case, like I said, it's probably  
3 mostly from the media.

4 MR. MOORE: I understand. No, we don't expect  
5 you to be as familiar with it as everything that's in  
6 the police reports and everything that we know and,  
7 you know, there's quite a lot to it, but you did  
8 share you have absorbed quite a bit of information.  
9 You indicated you knew there was robbery and a theft  
10 of some sort the Econo Lodge and a pursuit and Deputy  
11 Pill made a stop and she was shot and there were two  
12 people in the car.

13 JUROR NUMBER 207: That was probably about all  
14 I know.

15 MR. MOORE: I understand. I understand. Now,  
16 what I'm getting at, what this is all about and why  
17 this is necessary, whatever you hear on the news, and  
18 I would assume it would be a news sources you come to  
19 trust to a degree, not meaning that you accept  
20 everything at face value that you hear, but certainly  
21 if you consider it worthless you don't listen to it,  
22 right? So, fair to say that if you settle on a news  
23 source and listen to it regularly, daily, whether  
24 it's TV or TV, which is the primary source of your  
25 news I think you said.

1 JUROR NUMBER 207: Yes.

2 MR. MOORE: That is fair?

3 JUROR NUMBER 207: And the computer, Internet.

4 MR. MOORE: Okay. It's fair to say that you  
5 give a degree of credibility to what you hear there,  
6 not that you accept everything, but you do accept  
7 some of it and rely on it as probably accurate even  
8 though it's not everything, right? So, as far as  
9 what you considered from what you recall about the  
10 coverage of this case to be accurate, reliable, would  
11 be that there probably was some sort of a crime,  
12 whether it's robbery or theft at the Econo Lodge and  
13 a pursuit and Deputy Pill pulled over two people and  
14 was shot and killed and there were two people  
15 arrested, suspects arrested in connection with this  
16 case, one male, one female, and you know that the  
17 race of the female, you know, she was white.

18 JUROR NUMBER 207: No, no, I don't know that.

19 MR. MOORE: Did you -- do you recall that this  
20 all took place from the beginning at the Econo Lodge  
21 until the arrest was made, the shooting and the  
22 arrest in a relatively short period of time? Did you  
23 get a sense of a timeframe?

24 JUROR NUMBER 207: No, I don't.

25 MR. MOORE: So, you know, the parts leading up



1 including the shooting and the Death of Deputy Pill,  
2 would it be fair to say that you would come to rely  
3 on those as being an accurate reflection of what  
4 happened? Would that be a fair assessment, you know,  
5 in terms of what you assume you know about the case?

6 JUROR NUMBER 207: Something happened at the  
7 Econo Lodge, they left and she stopped them and she  
8 got killed.

9 MR. MOORE: So, they probably got -- yes,  
10 ma'am, they probably got that right.

11 JUROR NUMBER 207: Okay.

12 MR. MOORE: I'm asking, is that your opinion?

13 JUROR NUMBER 207: Yes.

14 MR. MOORE: And that two suspects were  
15 arrested, one male, one female?

16 JUROR NUMBER 207: Yeah, I didn't know that it  
17 was a girl, I don't know (unintelligible).

18 MR. MOORE: Well, I thought you said it was a  
19 boy and a girl.

20 JUROR NUMBER 207: Okay. It didn't make a big  
21 impression on me so.

22 MR. MOORE: And that the -- you know, we heard  
23 that this case was about Deputy Pill and you saw  
24 Mr. Bradley over there, you knew that he was the male  
25 that was arrested, you knew that. Okay. Here's what

1 I'm getting at. I mean, the ideal person for a jury  
2 would be somebody who meets all the qualifications  
3 and who never heard anything about this and  
4 unfortunately we don't have that luxury here. Most  
5 of the people we've talked to, most of people in  
6 Brevard County have heard about this, some much more  
7 than others. You heard a fair amount and that leads  
8 to assumptions, that leads to opinions and  
9 conclusions. You know, I know that you know how  
10 you're supposed to -- if you're in this case how  
11 you're supposed to consider the evidence and to not  
12 be affected by what's outside the courtroom, but the  
13 point is you come into the courtroom with a  
14 preconceived notion, an opinion to a degree, would  
15 that be accurate?

16 JUROR NUMBER 207: Everybody probably has an  
17 opinion.

18 THE COURT: Well, people who haven't heard  
19 about the case probably not, but people who have then  
20 we spend more time with you. And so would you as you  
21 sit here -- and there's no right or wrong answer and  
22 you're not going to be challenged and nobody is going  
23 to criticize you, I'm just trying to get at if based  
24 upon what you have heard, which to a large extent you  
25 consider to be accurate, to what degree do you have

1 an opinion with respect to Mr. Bradley's guilt or  
2 innocence as the shooter of Deputy Pill?

3 JUROR NUMBER 207: Well, I'm seeing that he was  
4 arrested on the spot and that he was the shooter.

5 MR. MOORE: Okay. And so you've heard the  
6 expression the elephant in the room, you know, it's  
7 whether you want it to be there or not, it's there  
8 and it certainly affects the way you move about that  
9 room that it's there. You can pretend it's not there  
10 but it's there. That's what that expression deals  
11 with it and it sort applies in the kind of situation  
12 we're talking about here and to what degree is what  
13 we're trying to get at. Do you still have an opinion  
14 even though -- and will you have an opinion if you're  
15 selected on the jury that to a degree you believe  
16 Mr. Bradley is guilty?

17 JUROR NUMBER 207: Well, I was instructed to  
18 come in here and presume him to be innocent.

19 MR. MOORE: I understand, but the point is it's  
20 not like you're a blank slate, you know something  
21 about this case, out there in the world outside this  
22 courtroom you arrived at an opinion, for better, for  
23 worse, no judgment on it, it is what it is, and the  
24 question is to what degree will that be the elephant  
25 in your room? And here's --

1           Let me put it this way. We're not talking  
2           hypothetically, we're talking about a situation that  
3           will decide Mr. Bradley's fate, whether he lives or  
4           dies, and if there's even the tiniest sliver of doubt  
5           in your mind about your ability to follow the  
6           instructions to just base your opinion on your  
7           verdict of what you hear here and leave the rest  
8           outside, even if it's just a little doubt. Okay. As  
9           grown ups we don't like to doubt ourselves. We don't  
10          like to have doubt. We certainly don't want people  
11          to think we doubt things, but in this case it is  
12          essential that if you have any doubts that you  
13          acknowledge them. Now's the time to do that. So, do  
14          you have a doubt about whether you can in fact put  
15          aside your opinion that Mr. Bradley is guilty to a  
16          degree, whatever that degree is, of being the shooter  
17          of Deputy Pill? Do you have any doubts about your  
18          ability to put that aside?

19                 JUROR NUMBER 207: I think I can put it aside.  
20                 I would have to.

21                 MR. MOORE: How would you do that?

22                 JUROR NUMBER 207: I would just have to come in  
23                 with an open mind an even though I have previously  
24                 made a notion that I'm supposed to go on the evidence  
25                 that the State presents.

1 MR. MOORE: I mean, how do you -- I'm not --  
2 I'm more going about it different ways to make sure  
3 that we understand exactly where you are. So, don't  
4 take this as challenging you.

5 JUROR NUMBER 207: I will do the best I can as  
6 a juror and I want to be as fair as I can as a juror.  
7 I've never done this before like I said three times.

8 MR. MOORE: I know.

9 JUROR NUMBER 207: So, you know, I would have  
10 to do my best job to the best of my ability.

11 MR. MOORE: So, how does one go about undoing  
12 an opinion and ignoring an opinion especially in a  
13 case where that opinion, even slightly, you know,  
14 however slightly it affects your verdict?

15 JUROR NUMBER 207: I would just have to look at  
16 the facts.

17 MR. MOORE: Ma'am?

18 JUROR NUMBER 207: You would have to just look  
19 at the facts and let them make your opinion.

20 MR. MOORE: Let who make your opinion?

21 JUROR NUMBER 207: The facts in your decision  
22 and nothing about who did what.

23 MR. MOORE: You've already reached an opinion  
24 about that based upon what you heard outside the  
25 courtroom if I understood what you said.

1 JUROR NUMBER 207: But you're asking me if I  
2 could set it aside.

3 MR. MOORE: I'm just asking you how do you  
4 think you can do that? How do you think you can  
5 accomplish setting that aside?

6 JUROR NUMBER 207: In my mind I would have to  
7 look at the facts that are presented and start with a  
8 clean slate.

9 MR. MOORE: Could you do that? Could you do  
10 that?

11 JUROR NUMBER 207: Yes, I can do that.

12 MR. MOORE: Okay. You are the office manager  
13 for the [REDACTED]

14 JUROR NUMBER 207: Yes.

15 MR. MOORE: Of Merritt Island?

16 JUROR NUMBER 207: Yes.

17 MR. MOORE: Does the [REDACTED]

18 JUROR NUMBER 207: The facilities department.

19 MR. MOORE: Does the [REDACTED], which I  
20 assume you're a member of that church, have a  
21 position on the death penalty?

22 JUROR NUMBER 207: I'm not really sure.

23 MR. MOORE: What do you believe your faith  
24 teaches about the death penalty?

25 JUROR NUMBER 207: Like I said, it's a hard

1 decision but I feel that you're supposed to abide by  
2 our government and our rules of law and if somebody  
3 commits a crime that's bad enough to possibly warrant  
4 that, I think then that should be decided.

5 MR. MOORE: What if your --

6 JUROR NUMBER 207: I would -- you know,  
7 definitely it would be hard to do that because it  
8 would be deciding on the death of Mr. Bradley.

9 MR. MOORE: Or the life without parole.

10 JUROR NUMBER 207: Yeah.

11 MR. MOORE: One of those.

12 JUROR NUMBER 207: Right. So, you know, but.

13 MR. MOORE: Or the guilt or the innocence.

14 What if you're --

15 JUROR NUMBER 207: It's definitely a hard thing  
16 to do.

17 MR. MOORE: What if your faith came into  
18 conflict with the instructions of the Court about how  
19 you feel this, what does that have to do with it?

20 JUROR NUMBER 207: How would (unintelligible)?

21 MR. MOORE: Well, you haven't heard all the  
22 instructions. I don't know exactly what your beliefs  
23 are and so -- but just in the abstract,  
24 hypothetically, if you are instructed on what you  
25 must do to reach a verdict in guilt or innocence

1 phase and then you're given the full instructions,  
2 which will be in writing, you'll have them to go back  
3 in the jury room with you, if you find -- if the jury  
4 returns a verdict of guilty of first degree murder  
5 and go to the penalty phase, the Judge would instruct  
6 you on how you are to, and she has to a degree,  
7 you'll be instructed again, how you're to reach a  
8 recommendation or a guideline for you to do that,  
9 what if those instructions came into conflict with  
10 your faith, what would you do in that situation?  
11 Would you say I understand the instructions but my  
12 faith instructs me to do it a different way?

13 JUROR NUMBER 207: I would definitely go with  
14 what my faith instructed me to do but I can't see  
15 that being a conflict.

16 MR. MOORE: So, if it were a conflict, then you  
17 would go with what your faith teaches over what the  
18 instructions provide, is that correct?

19 JUROR NUMBER 207: (Unintelligible) so  
20 (unintelligible).

21 MR. MOORE: Okay. Yeah, for sure. I mean,  
22 there's no question. Okay. The instructions tell me  
23 how I'm supposed to do this, faith, which I, you  
24 know, I believe in, you believe in with all your  
25 heart, you'll go with what your faith teaches you?



1 Is that a yes? You know, we're trying to get a  
2 recording.

3 JUROR NUMBER 207: Yes.

4 MR. MOORE: Okay. The Brevard County Sheriff's  
5 Department has a Facebook web page, have you ever  
6 visited that?

7 JUROR NUMBER 207: Um-hmm.

8 MR. MOORE: Okay. And what lead you to visit  
9 that web page?

10 JUROR NUMBER 207: Well, we had the sheriff  
11 come to the church, he did some kind of community  
12 information seminar to us and he told us about his  
13 deputies and the page and (unintelligible) page, I  
14 don't know about the web page, but he was talking  
15 about his Facebook page about current things that are  
16 going on.

17 MR. MOORE: Did Sheriff Ivy mention or talk  
18 about the shooting of Deputy Pill?

19 JUROR NUMBER 207: No.

20 MR. MOORE: You were there for his talk I take  
21 it?

22 JUROR NUMBER 207: Um-hmm.

23 MR. MOORE: Do you feel that you are supportive  
24 of the Brevard County Sheriff's Department beyond  
25 having visited that Facebook web page? Do you

1 have -- do you consider yourself to be a supporter  
2 of, in particular specifically of Brevard County  
3 Sheriff's Department for which Deputy Pill worked?

4 JUROR NUMBER 207: Yes, they're the deputies  
5 that handle anything in our area so, yes.

6 MR. MOORE: Of course. I mean, we support our  
7 law enforcement officers, but is it to a degree that  
8 would guide your verdict or your recommendation to  
9 any degree in this case?

10 JUROR NUMBER 207: No, I would treat that  
11 (unintelligible).

12 MR. MOORE: If you -- if we put you arbitrarily  
13 for discussion purposes in the for the death penalty  
14 column, if you had to be for -- we've got two columns  
15 here, just for talking purposes one's I'm against it,  
16 one I'm for it, maybe for it with qualifications,  
17 your in the for column for the death penalty, can you  
18 think -- did you have an opinion about the death  
19 penalty before you came into this courtroom?

20 JUROR NUMBER 207: Yes, I support it.

21 MR. MOORE: And if you look at your -- the  
22 strength of your support of the death penalty, look  
23 at it that way, on a scale from zero to ten and ten  
24 is the strongest support you can have for it and zero  
25 is against it or no support, where would you fall on

1 that line? What number would you give yourself?  
2 Somewhere between zero and ten with ten being the  
3 strongest support.

4 JUROR NUMBER 207: Probably about an eight.

5 MR. MOORE: Have you always had that opinion?

6 JUROR NUMBER 207: Yes.

7 MR. MOORE: And why, just to get at the reason,  
8 not to take issue with you, but why would you say  
9 that you're -- you've been in the for column to  
10 begin, what are the reasons why you would be in that  
11 column, as opposed to the other column which is  
12 against?

13 JUROR NUMBER 207: Well, to me there are  
14 certain crimes that would warrant the death penalty.

15 MR. MOORE: Without regard to mitigation?

16 JUROR NUMBER 207: What do you mean?

17 MR. MOORE: Well, I mean, are there certain  
18 crimes that are so off the charts awful, so heinous  
19 that you would not even be open to considering any  
20 mitigation?

21 JUROR NUMBER 207: Yes.

22 MR. MOORE: Would that be a serial killer, for  
23 example, somebody who's killed lots of people?

24 JUROR NUMBER 207: Yes.

25 MR. MOORE: How about a person who has

1 murdered, tortured, murdered a child or children,  
2 would that be one of those cases?

3 JUROR NUMBER 207: Yes, and of course you have  
4 to prove that without --

5 MR. MOORE: Of course.

6 JUROR NUMBER 207: -- any kind of a doubt  
7 (unintelligible).

8 MR. MOORE: You know, I guess the point I'm  
9 getting at is the step after let's say that person is  
10 convicted and then would you then be completely deaf  
11 to any mitigation in those cases?

12 JUROR NUMBER 207: No.

13 MR. MOORE: You would consider mitigation?

14 JUROR NUMBER 207: Yes.

15 MR. MOORE: Okay. Well, let me ask about types  
16 of mitigation you might be willing to consider or  
17 not. Let's find out. All right. If you were  
18 presented with testimony from qualified experts of  
19 mental illness on Mr. Bradley's part, would you be  
20 open to considering potentially those mitigating  
21 circumstances?

22 JUROR NUMBER 207: Sure.

23 MR. MOORE: You recognize the difference  
24 between drug use and drug addiction?

25 JUROR NUMBER 207: Yes.

1 MR. MOORE: Do you believe that drug addiction  
2 is a choice? Not drug use but drug addiction, being  
3 hooked?

4 JUROR NUMBER 207: Is what?

5 MR. MOORE: A choice.

6 JUROR NUMBER 207: Drug addiction is a choice?

7 MR. MOORE: Yes.

8 JUROR NUMBER 207: Yes.

9 MR. MOORE: It is a choice?

10 JUROR NUMBER 207: Yes.

11 MR. MOORE: So, you believe anybody who is  
12 addicted can just choose and stop being addicted?  
13 That's not a fair question. Let me put it this way.  
14 You recognize that some people who are -- can be  
15 addicted to drugs? You have to speak up. Yes?  
16 You're nodding your head.

17 JUROR NUMBER 207: Yes.

18 MR. MOORE: Do you recognize that some people  
19 struggle with addiction?

20 JUROR NUMBER 207: Yes, I have a friend that is  
21 that way, yes.

22 MR. MOORE: If you heard evidence of drug  
23 addiction, drug abuse from Mr. Bradley, would you be  
24 willing to consider that, consider that as  
25 potentially mitigating?

1 JUROR NUMBER 207: Sure.

2 MR. MOORE: If you heard evidence of childhood  
3 abuse, physical and emotional, would you open to  
4 considering that?

5 JUROR NUMBER 207: Yes.

6 MR. MOORE: At the guilt -- at the  
7 guilt/innocence part of the trial where the jury goes  
8 back, they're asked to deliberate guilty or not  
9 guilty of first degree murder and perhaps a lesser,  
10 less serious charges that you will also be able to  
11 choose from, the verdict has to be unanimous. You've  
12 already heard that. All the jurors have to admit --  
13 have to agree to guilt or innocence or not guilty.  
14 At the -- if the jury returns a verdict of guilty of  
15 first degree murder, then we go to the penalty  
16 sentencing phase and each juror there is entitled to  
17 his or her own vote, it doesn't have to be unanimous.  
18 You've had that explained to you.

19 JUROR NUMBER 207: Right.

20 MR. MOORE: Do you accept that you have the  
21 right to have your own vote and not have to justify  
22 it, not have to explain it?

23 JUROR NUMBER 207: Yes.

24 MR. MOORE: And you have to give that courtesy  
25 to the other members of jury to accept their vote,

1 their recommendation, whatever it is, and not require  
2 them to justify or explain their position or try to  
3 intimidate or browbeat them into agreeing with you.

4 JUROR NUMBER 207: Right.

5 MR. MOORE: If they disagree.

6 JUROR NUMBER 207: Right.

7 MR. MOORE: You accept that?

8 JUROR NUMBER 207: Right.

9 MR. MOORE: You understand that life without  
10 parole means that whoever is sentenced to without  
11 life without parole will never get out of prison  
12 alive, the person will die in prison, you understand  
13 that?

14 JUROR NUMBER 207: Um-hmm.

15 MR. MOORE: You accept that?

16 JUROR NUMBER 207: Yes.

17 MR. MOORE: Without question?

18 JUROR NUMBER 207: Yes.

19 MR. MOORE: Do you understand that life without  
20 parole if your in the penalty phase and you get there  
21 is always an option? It's never off the table. That  
22 is, whereas if, you know, before you can even  
23 consider -- before the death penalty is on the table  
24 at the penalty phase, the State has to convince you  
25 beyond a reasonable doubt that there is at least one

1           aggravating circumstance.  Until that point, then  
2           death is not even on the table, the death penalty.  
3           If they got to that point, then it's an option just  
4           like life without parole is an option.  Just because  
5           they've proven one or more, five, six, whatever,  
6           aggravating circumstances, that means death, the  
7           death penalty is on the table but so is life without  
8           parole.

9                    JUROR NUMBER 207:  Okay.

10                   MR. MOORE:  Okay.  If they don't prove  
11                   aggravating circumstances, death is off the table,  
12                   okay, and life without parole is the only sentence  
13                   that you can vote or recommend.

14                   JUROR NUMBER 207:  Um-hmm.

15                   MR. MOORE:  And if you find mitigating  
16                   circumstances outweigh the aggravating circumstances,  
17                   life -- death is off the table and you have to vote  
18                   for life without parole.  So, the point is there are  
19                   a number of points where the death, the death  
20                   sentence is off the table but the life without the  
21                   parole is never off the table, it's always an option.  
22                   Even if you find all the aggravating circumstances,  
23                   no mitigating circumstances, life without parole is  
24                   always an option.

25                   JUROR NUMBER 207:  Right.



1 MR. MOORE: You accept that?

2 JUROR NUMBER 207: Yes.

3 MR. MOORE: I'd like to take a moment, please.

4 THE COURT: Yes, you may.

5 (Thereupon, a pause was taken in the  
6 proceedings.)

7 MR. MOORE: Can you -- if you're being asked  
8 to, well, let's see, how do we put this, set aside  
9 the opinion that you have at this point of guilt to a  
10 degree and you have knowledge that it's there, you  
11 believe you could do that. Can you think of times in  
12 your life when you have undone or set aside an  
13 opinion you had held where you just said, well, I  
14 need to just set that aside or undo that or erase  
15 that, can you think of times you've done that in your  
16 life?

17 JUROR NUMBER 207: Change your mind, yes.

18 MR. MOORE: What sort of examples come to mind?

19 JUROR NUMBER 207: Well, when someone's done  
20 something to me at work that I didn't approve of or  
21 like, I set it aside and go on.

22 MR. MOORE: Given that you have reached an  
23 opinion, are you looking to the Defense to undo that  
24 opinion for you? In other words, do we have to  
25 convince you of anything? Do we have to convince you

1 that he is not guilty?

2 JUROR NUMBER 207: No.

3 MR. MOORE: Does the State have a leg up at  
4 this point because you have --

5 JUROR NUMBER 207: They have to convince me  
6 that he's guilty.

7 MR. MOORE: Well, they've taken several steps  
8 in that direction just because of what you've read in  
9 the media, what you've seen on TV, are you already  
10 moved that direction of believing Mr. Bradley is  
11 guilty?

12 JUROR NUMBER 207: All I said is that she was  
13 shot and that he did it and that's all I know.

14 MR. MOORE: You still believe and have no doubt  
15 that you can set that aside?

16 JUROR NUMBER 207: Yes, that's what I'm  
17 supposed to do if I'm a juror.

18 MR. MOORE: It is. It is.

19 JUROR NUMBER 207: Yes.

20 MR. MOORE: Okay. Okay. If you are selected  
21 to sit on the jury you would see a videotape, you'll  
22 see pictures of Deputy Pill after she died, they'll  
23 be autopsy photos, and you will also see a videotape  
24 of her being shot. Now, it's hard to imagine seeing  
25 something like that. It's real, not a movie, it's

1 not a TV show, it's real. Do you think once having  
2 seen that that you would still -- if you found  
3 Mr. Bradley guilty of first degree murder, you would  
4 still be able to consider mitigating circumstances,  
5 still be able to consider them?

6 JUROR NUMBER 207: Yes. Yes.

7 MR. MOORE: Any doubt about your ability to do  
8 that?

9 JUROR NUMBER 207: No.

10 MR. MOORE: Thank you, ma'am.

11 THE COURT: Okay. Juror Number 207, I'm going  
12 to release you for today. You are still being  
13 considered as a juror in this case. I'm going to ask  
14 you to be back here at 8:30 in the morning to the  
15 jury assembly room. Report to the jury assembly  
16 room.

17 During this recess you must abide by your --  
18 continue to abide by the rules governing your service  
19 as a juror. Now, you can tell people that you're  
20 coming here for jury duty, where you're going to be  
21 and when you're supposed to be, you just can't talk  
22 about the facts, you can't talk about that it's this  
23 case or what the circumstances are. Don't talk to  
24 anyone else about the case. Avoid reading newspaper  
25 headlines and/or articles related to this trial or

1 its participants. Avoid seeing or hearing television  
2 or radio or Internet comments about this, and do not  
3 conduct any independent research. Any questions or  
4 concerns?

5 JUROR NUMBER 207: What time did you say  
6 tomorrow?

7 THE COURT: 8:30.

8 JUROR NUMBER 207: 8:30.

9 THE COURT: The jury assembly room. Okay.  
10 Okay. Thank you very much.

11 (Thereupon, Juror Number 207 exited the  
12 courtroom.)

13 THE COURT: I know that Mr. Lanning told me I  
14 think yesterday that he needed to be somewhere at  
15 6:30. Today, is that today?

16 MR. LANNING: No, that was Tuesday.

17 THE COURT: Oh, okay. That's where I'm at in  
18 my mind. I'm still on Tuesday. I thought that was  
19 today. I don't know what I was thinking.

20 MR. MOORE: Your Honor, could we approach?

21 THE COURT: Yes.

22 MR. MOORE: May we approach?

23 THE COURT: Yes, you may.

24 (Thereupon, a benchside conference was had out  
25 of the hearing of the audience as follows:)

1 MR. MOORE: We would move to strike the last  
2 candidate. 208 was it? What was her number?

3 MR. LANNING: 207.

4 MR. MOORE: Close, ballpark. For cause for two  
5 reasons. One, she stated that if there was a  
6 conflict between her faith and the jury instructions  
7 she would go with her faith every time, there's no  
8 doubt about that. And she indicated that she still  
9 believes he's guilty. I mean, she didn't say beyond  
10 all reasonable doubt, she just --

11 MR. LANNING: She said she can set it aside but  
12 she said I believe he's guilty. There's a conflict  
13 there is -- can't be reconciled. And the fact that  
14 she would place her faith over her obligation to the  
15 Court's instructions, she can't serve as a juror.

16 MR. MOORE: Her positions are irreconcilable,  
17 Your Honor. I mean she says some things the right  
18 way but they are in conflict with other things that  
19 she says like whether she's going to follow her faith  
20 or the instructions, whether she will presume him  
21 innocent or whether she believes him guilty and she  
22 said she does believe that he's guilty but she can  
23 follow the instructions. They're just too far apart,  
24 there's no reconciliation between those two opposing  
25 positions.

1 THE COURT: Okay. Response from the State.

2 MR. BROWN: Judge, ultimately have to agree on  
3 the faith issue, I don't agree with them on the issue  
4 of her setting it aside. She was always consistent  
5 on that, but I did mark that she indicated that if  
6 there was a conflict she would have to follow her  
7 faith and that's enough for cause.

8 THE COURT: Okay. Then I'll release Juror 207  
9 and she'll be released for cause. Okay. I'm not  
10 sure -- I wish you could have gotten to me before I  
11 released her. You're welcome to do that and ask for  
12 a bench conference. I'll try to get to her so she  
13 doesn't show up at 8:30 the morning. Okay. Thank  
14 you.

15 (Thereupon, the benchside conference was  
16 concluded and the proceedings were had as follows:)

17 THE COURT: Madame clerk, can you advise them  
18 and see if they can get ahold of her?

19 THE CLERK: Yes, ma'am.

20 THE COURT: If she's still in the building we  
21 can have her report to the jury assembly room. For  
22 the record, 207's been released for cause. Okay. It  
23 is my intention to continue. So, we'll bring in 208.  
24 I don't know, I'm willing to do that, we'll see how  
25 far we get. I'm willing to stop now but if we stop

1 that's where we're stopping.

2 MR. MOORE: Can I go get my PJ's?

3 THE COURT: No, not yet. So, we can have her  
4 report to the jury assembly room.

5 (Thereupon, Juror Number 207 was escorted into  
6 the courtroom by the court deputy and the proceedings were  
7 had as follows:)

8 THE COURT: Okay. Number 208, if you'll come  
9 forward. Ma'am, I want to thank you for being here.  
10 Thank you for being patient with us with regard to  
11 this process. We know it's a long process for you, I  
12 assure you it's a long process for us but we are  
13 doing the best we can to get through this as fast as  
14 we can, but I do want to thank you for being involved  
15 in the process and for being patient with us.

16 JUROR NUMBER 208: Absolutely.

17 THE COURT: I talked to you the other day about  
18 some rules that were -- that govern your service as a  
19 juror, juror. Those rules came into effect at that  
20 time. So, I'm going to talk to you since those rules  
21 were announced. Have you read or been exposed to  
22 reading newspaper headlines and/or articles relating  
23 to this trial or its participants?

24 JUROR NUMBER 208: No, I just heard from  
25 someone that the jury had not been seated yet for

1           this trial, but not.

2           THE COURT: Okay. Was that since I announced  
3 the rules you heard that?

4           JUROR NUMBER 208: No, that was Sunday.

5           THE COURT: Okay. So, this is since I  
6 announced the rules.

7           JUROR NUMBER 208: Then the answer is no.

8           THE COURT: Have you seen or heard television,  
9 radio, or Internet comments about this trial?

10          JUROR NUMBER 208: No.

11          THE COURT: Have you conducted or been exposed  
12 to any research regarding any matters concerning this  
13 case?

14          JUROR NUMBER 208: No.

15          THE COURT: Have you discussed this case with  
16 other jury members or with anyone else or allowed  
17 anyone to discuss it in your presence?

18          JUROR NUMBER 208: No.

19          THE COURT: Okay. I'm going to talk to you in  
20 a few minutes about your knowledge of the case and  
21 then about the death penalty. There are no right or  
22 wrong answers to the questions I'm going to ask.  
23 What we ask you to do is be honest, frank, complete.  
24 If the answer to the question that you're asked  
25 solicits a yes or no response and you can't answer



1           yes or no, it's appropriate to answer I don't know.  
2           We may ask you some questions that you never thought  
3           about before. If you need time to think, you can do  
4           that as well. The first question I'm going to ask  
5           you is do you know anything about this case either  
6           from your own personal knowledge, rumor, by  
7           discussions with anyone else, or from the media,  
8           including radio, television, Internet, electronic  
9           device, or newspapers?

10           JUROR NUMBER 208: Yes.

11           THE COURT: Okay. Tell me what information you  
12           believe that you know.

13           JUROR NUMBER 208: From the beginning? I know  
14           that there was a robbery and then there was a police  
15           chase that ensued.

16           THE COURT: Okay.

17           JUROR NUMBER 208: I know that that there was a  
18           deputy that was killed at point blank range.

19           THE COURT: Okay.

20           JUROR NUMBER 208: My mother has told me that  
21           Officer Pill patrolled her fifty-five plus community.  
22           I've heard rumors that, and I don't even know where I  
23           heard them, that maybe some protocol wasn't followed,  
24           but that at the end of the day that Officer Pill was  
25           killed by the defendant.

1 THE COURT: Okay. Do you know if there was  
2 anyone with the defendant?

3 JUROR NUMBER 208: Yes.

4 THE COURT: Okay. What do you know about that?

5 JUROR NUMBER 208: He had his girlfriend with  
6 him, I believe she was arrested and she took a plea  
7 deal.

8 THE COURT: All right. When you heard this  
9 information, did you -- did it -- how did it make you  
10 feel, if anything?

11 JUROR NUMBER 208: Upset.

12 THE COURT: Okay.

13 JUROR NUMBER 208: Very upset. My daughter is  
14 pursuing a career as a Florida wildlife officer and  
15 so that concerns me very much.

16 THE COURT: Okay. When you, when you came to  
17 court the other day and I read you the charges and  
18 you saw that it was this case, how did that make you  
19 feel?

20 JUROR NUMBER 208: Concerned. I know this is a  
21 huge case. I don't necessarily want to give up five  
22 weeks of my life but I understand it has to be done,  
23 it has to be done. I don't feel that I qualify for a  
24 hardship after hearing other folks that day. Would  
25 it inconvenience me, of course, it will, you know,

1 both professionally and personally. So, that's about  
2 it.

3 THE COURT: Okay. So, what we ask you to do if  
4 you are considered as a member -- to be a member of  
5 the jury is to set aside anything that you may have  
6 learned about the case, serve with an open mind and  
7 reach a verdict based only on the law and the  
8 evidence presented in this trial in this courtroom,  
9 can you do that?

10 JUROR NUMBER 208: I don't know.

11 THE COURT: Okay.

12 JUROR NUMBER 208: Honestly, I don't know.

13 THE COURT: So, it appears -- some people --  
14 it's unusual if you don't know anything about the  
15 case.

16 JUROR NUMBER 208: Right.

17 THE COURT: Just so you know. That would be  
18 unusual. We have had a few but that's unusual. So,  
19 it's not -- I mean, we have to address that issue.  
20 If the jury presented the evidence in this case -- I  
21 mean, if you heard the evidence in this case and you  
22 went back to the jury room to deliberate and you said  
23 oh, gosh, now I remember, I know about this  
24 information over here but I never heard that come in  
25 as evidence, that never came in as evidence in this

1 case, could you set that aside, not consider it for  
2 purposes of your deliberation and for purposes of  
3 reaching a verdict in this case?

4 JUROR NUMBER 208: I want to say yes because  
5 that's the right thing to do.

6 THE COURT: There's no right or wrong answers  
7 in here, it's what you think you're confident in your  
8 ability to do.

9 JUROR NUMBER 208: I'm going to say yes.

10 THE COURT: Okay. So, how confident are you  
11 that you can do that? You say I'm going to say yes.

12 JUROR NUMBER 208: I would most certainly try  
13 to separate prior knowledge with what was here in the  
14 courtroom, I'm pretty confident that I could do that.

15 THE COURT: Okay. Let's talk about some other  
16 things. You said that you're mom talked to you about  
17 Deputy Pill.

18 JUROR NUMBER 208: Um-hmm.

19 THE COURT: Okay. I anticipate -- there's not  
20 very many people here today but I anticipate once the  
21 trial starts that this courtroom will be filled with  
22 people watching the trial. I anticipate that those  
23 watching the trial will be family members of Deputy  
24 Pill. So, they will be here.

25 JUROR NUMBER 208: Um-hmm.

1           THE COURT: I also anticipate that as part of  
2 evidence in this case you're going to see photos,  
3 autopsy photos of Deputy Pill after the shooting.  
4 Those have been described as graphic. Also, there's  
5 a strong possibility you're going to see a video of  
6 the shooting. Now, most people you might see that on  
7 TV, you might not see that on TV, but this is not TV,  
8 this is real life. So, I suspect you're going to see  
9 a video of the shooting and that has been described  
10 as graphic as well. How does that make you feel  
11 about being a juror in this case?

12           JUROR NUMBER 208: I think I can handle it. I  
13 think it will be disturbing, I'm sure I could watch  
14 it.

15           THE COURT: Okay. Would that in any way -- so,  
16 in this case the State has the burden of proof. The  
17 State has to prove each element of each count beyond  
18 and to the exclusion of every reasonable doubt.  
19 There's four counts. That's the State's job. The  
20 State knows that's their job. That's their job in  
21 every criminal case. I mean, I'm not telling you  
22 something that everyone here doesn't know. We all  
23 know that, they know that. The defendant at this  
24 time is presumed to be not guilty. The defendant  
25 does not have -- the defendant and the Defense do not

1 have to present any evidence. It is the State's  
2 burden to prove the case. So, as you sit here today  
3 you have to presume the defendant is not guilty  
4 because there's no evidence, there's no evidence  
5 that's come before you. You know, in other trials we  
6 don't have to deal with this but because you know  
7 things about the case, you have to sit here and  
8 presume that he's not guilty. If fact, you have to  
9 be able to look at him and say Mr. Bradley at this  
10 moment is innocent because no evidence has been  
11 presented in the case. Can you do that?

12 JUROR NUMBER 208: I have a hard time with  
13 that.

14 THE COURT: Okay.

15 JUROR NUMBER 208: I do have a hard time with  
16 that. I understand that we have to separate what's  
17 presented when we go into the jury room, but at this  
18 particular moment knowing what I know, having seen  
19 the news clips, having read papers, I'd have a hard  
20 time saying okay that gentleman is innocent right  
21 now. Does that make sense?

22 THE COURT: No, that's an honest answer and  
23 that's what we want from you. As a juror that is  
24 your job. We know that you know things about the  
25 case and I assume from what you're saying that you've

1           come to some -- I mean, people read newspaper  
2           articles, they come to some impressions about guilt  
3           or innocence and I'm assuming you have an impression  
4           and what's that impression at this time?

5           JUROR NUMBER 208: That he's guilty.

6           THE COURT: Okay. So --

7           MR. PIROLO: We'll stipulate.

8           MR. MCMASTER: Stipulate, Judge.

9           THE COURT: Okay. Juror Number 208, based on  
10          that, we're going to go ahead and release you as  
11          being considered as a juror in this case. Now, thank  
12          you for being honest with us about your answers.  
13          Thank you for coming here to serve, we appreciate it  
14          very much. I wish I could have gotten to you sooner  
15          but I have to go in order. So, I am going to release  
16          you. You can go downstairs, report to the jury  
17          assembly room, they're going to give you brief  
18          information and send you on your way. Okay?

19          JUROR NUMBER 208: Thank you.

20          THE COURT: Okay. Thank you very much.

21          (Thereupon, Juror Number 208 exited the  
22          courtroom.)

23          THE COURT: Okay. Juror Number 208 has been  
24          release for cause. We can bring in Juror Number 209.

25          (Thereupon, Juror Number 209 was escorted into

1 the courtroom by the court deputy and the proceedings were  
2 had as follows:)

3 THE COURT: Okay. Welcome, Juror 209. One,  
4 thank you for being here. Thank you for being  
5 patient with us with regard to this process. We know  
6 it's been a long afternoon for you, it's been a long  
7 day for us I assure you, but I appreciate you being  
8 here. We're doing the best we can to get to everyone  
9 as soon as we can. When I spoke to you the other day  
10 we talked about rules that -- for governing your  
11 service as a juror. So, those rules started at that  
12 time. So, since I announced those rules, it would be  
13 since you came to court the other day, have you read  
14 or been exposed to reading newspaper headlines and/or  
15 articles related to this trial or it's participants?

16 JUROR NUMBER 209: No.

17 THE COURT: Have you seen or heard television,  
18 radio, or Internet comments about this trial?

19 JUROR NUMBER 209: No, I have not.

20 THE COURT: Have you conducted or been exposed  
21 to any research regarding any matters concerning this  
22 case?

23 JUROR NUMBER 209: No, I have not.

24 THE COURT: And have you discussed this case  
25 with other jury members or with anyone else or



1 allowed anyone to discuss it in your presence?

2 JUROR NUMBER 209: No, I have not.

3 THE COURT: Okay. I'm going to ask you some  
4 questions here this afternoon, then the State will  
5 have an opportunity to question and the Defense will  
6 have an opportunity to question you. There are no  
7 right or wrong answers to the questions I'm going to  
8 ask you. What I ask you to do is be honest, be open,  
9 be frank. Some people say Judge, can I say this?  
10 You can say whatever you think is appropriate to say  
11 in here. You can -- you're not going to hurt  
12 anyone's feelings. We don't -- some people --  
13 sometimes you get the impression that people want to  
14 answer a certain way to please me because I'm the  
15 Judge, don't need to do that either, just need to be  
16 honest. There are -- like I said, we're going to ask  
17 you some questions, if it calls for a yes or no  
18 answer and you listen to the question and you can't  
19 answer it yes or no, then you need to say I don't  
20 know, that's a valid response too. Some of the  
21 things that you may be asked this afternoon are  
22 concepts that you may not have ever thought of  
23 before.

24 JUROR NUMBER 209: All right.

25 THE COURT: So, the first question I'm going to

1 ask you is do you know anything about this case  
2 either from your own personal knowledge, rumor, by  
3 discussions with anyone, or from the media, including  
4 radio, television, Internet, electronic device, or  
5 newspapers?

6 JUROR NUMBER 209: I do.

7 THE COURT: Okay. Tell me what information you  
8 believe that you know and where you would have gotten  
9 that information.

10 JUROR NUMBER 209: Mainly from the news.

11 THE COURT: Okay.

12 JUROR NUMBER 209: Sometimes I've seen  
13 (unintelligible).

14 THE COURT: So, at some point you heard a news  
15 program about this event?

16 JUROR NUMBER 209: Yes.

17 THE COURT: About the shooting death of Deputy  
18 Pill?

19 JUROR NUMBER 209: Yes.

20 THE COURT: Okay. Tell me -- if you could  
21 be -- I started that out, that's a specific  
22 information. Try to tell me what specific  
23 information that you do know.

24 JUROR NUMBER 209: I know there was some items  
25 that were stolen.

1 THE COURT: Okay.

2 JUROR NUMBER 209: And then when they were  
3 trying to escape they were talking about deputy being  
4 shot?

5 THE COURT: Okay. Do you know -- there was  
6 some items that were stolen. Do you know anything  
7 about the shooting of the deputy?

8 JUROR NUMBER 209: Yes.

9 THE COURT: Okay. Tell me what you know.

10 JUROR NUMBER 209: I know there was like a dash  
11 camera of the shooting.

12 THE COURT: Okay. So you heard that there's a  
13 dash cam video?

14 JUROR NUMBER 209: Um-hmm.

15 THE COURT: Of the shooting?

16 JUROR NUMBER 209: Yes.

17 THE COURT: Okay. Anything else?

18 JUROR NUMBER 209: I know there was two people  
19 involved, a guy and a woman.

20 THE COURT: Okay. Anything about the woman?

21 JUROR NUMBER 209: I don't remember specifics  
22 about her, I know she was white.

23 THE COURT: Okay. Do you know anything about  
24 what may have happened with her since then?

25 JUROR NUMBER 209: All I heard I guess she took

1 a plea deal or some type of plea deal.

2 THE COURT: Okay. Anything else about that?

3 JUROR NUMBER 209: I think that's pretty much  
4 it.

5 THE COURT: Okay. Now, did you here anything  
6 about picking the jury in this case?

7 JUROR NUMBER 209: I didn't hear anything about  
8 that.

9 THE COURT: Okay. What are your regular local  
10 news habits? I mean, do you listen to the news every  
11 day? Do you read the newspaper? Some people say  
12 they never do any of those things, what do you do?

13 JUROR NUMBER 209: I listen to the news every  
14 day, mostly -- or mainly in the morning when I'm  
15 getting ready for work, usually I turn it on and  
16 watch it.

17 THE COURT: So, it's on when you're getting  
18 ready for work?

19 JUROR NUMBER 209: Yes.

20 THE COURT: So, is it fair to say you don't sit  
21 there and watch the whole thing but you may catch  
22 things from -- I mean, certain things?

23 JUROR NUMBER 209: Yes.

24 THE COURT: Okay. Do you do that pretty much  
25 every morning?

1 JUROR NUMBER 209: Pretty much every morning.

2 THE COURT: Okay. And what channel do you  
3 listen to regularly?

4 JUROR NUMBER 209: Usually Channel 9.

5 THE COURT: Okay. Now, did -- when you heard  
6 about this case, did it solicit any kind of response  
7 in you? What did you think?

8 JUROR NUMBER 209: Well, the first this is it's  
9 a terrible thing that happened, you know, maybe that  
10 but.

11 MR. MOORE: I couldn't understand that. What  
12 was that?

13 JUROR NUMBER 209: I say that mostly  
14 (unintelligible) in the bible says a victim is a  
15 terrible thing that happened.

16 THE COURT: So, it was a terrible thing that  
17 happened. Anything else? Did you think about it  
18 later, did you talk about it with your coworkers?

19 JUROR NUMBER 209: I know they were talking  
20 about it at work. I work at (unintelligible) and  
21 it's kind of close to where it happened.

22 THE COURT: Where do you work in Melbourne?

23 JUROR NUMBER 209: [REDACTED]

24 THE COURT: Okay. So, you heard something of  
25 it and you talked about it at work a little bit?

1           JUROR NUMBER 209: Yes.

2           THE COURT: Did you have like an opinion about  
3 the guilt or innocence of Mr. Bradley?

4           JUROR NUMBER 209: At the time, no, I didn't.  
5 I had an opinion but there's no one asked me what I  
6 thought about it (unintelligible) having an actual  
7 opinion about it.

8           THE COURT: Okay. One of the things we ask you  
9 to do if you're going to be a juror in this case is  
10 to set aside anything that you may have learned about  
11 this case, serve with an open mind and reach a  
12 verdict based only on the law and the evidence  
13 presented in this trial in this courtroom, can you do  
14 that?

15           JUROR NUMBER 209: It might be kind of hard  
16 seeing what I know and saw on the news. I mean, to  
17 put anything aside, you know, it would still be back  
18 there in my mind thinking about that.

19           THE COURT: Okay. Because let me tell you what  
20 you would have to do. Let's say you heard all the  
21 evidence in this case and the evidence was concluded  
22 and then you would go back in the jury room for  
23 deliberations and let's say you're back there and you  
24 have say I have some information about the case, I  
25 know some information -- I believe I know something

1 about the case that happened before but it never came  
2 in as evidence in this case, I never heard that, no  
3 one ever testified about it, I never saw any exhibits  
4 that showed that. So, you would have to set that  
5 aside and not consider that in determining -- in your  
6 deliberations in this case. Can you do that?

7 JUROR NUMBER 209: I believe I can but I can't  
8 totally, I can't be totally sure if I could do it or  
9 not but.

10 THE COURT: Okay. Only you know your ability  
11 to do these things. I mean, we don't know that.

12 JUROR NUMBER 209: Um-hmm.

13 THE COURT: Because if you have doubts, then we  
14 need to know that. If you say Judge, you know, I can  
15 do that, I can do that. It won't be easy but I can  
16 do that, but you have to say I can do that. Can you  
17 do that?

18 JUROR NUMBER 209: I would say I can do it.

19 THE COURT: Okay. You're confident in your  
20 ability to do that?

21 JUROR NUMBER 209: Well, I probably would have  
22 to say it would probably be hard for me to do it but.

23 THE COURT: Okay. Let me go a little bit  
24 further.

25 JUROR NUMBER 209: Yeah.

1 THE COURT: The State has the burden to prove  
2 this case. In every criminal case they have that  
3 burden. They have to prove each element of each  
4 count beyond and to the exclusion of every reasonable  
5 doubt. That's their job. They know that's their  
6 job. We all know that's their job. That's their job  
7 in every criminal case. The Defense as they sit here  
8 do not have to prove anything. In fact, at this time  
9 because there's no evidence that's come before the  
10 Court, the defendant is not guilty because we haven't  
11 heard anything so he's not guilty. In fact, the  
12 defendant is presumed to be innocent. So, can you  
13 look at the defendant at this time and say Judge, I  
14 haven't heard anything, as far as I'm concerned the  
15 defendant is not guilty, the defendant is innocent,  
16 I'm going to make the State prove their case? Can  
17 you do that?

18 JUROR NUMBER 209: No, I wouldn't be able to do  
19 that. I mean, what I've seen so far it would be kind  
20 of hard for me to do that knowing the facts that I  
21 saw.

22 THE COURT: So, what you saw left an impression  
23 with you that the defendant is guilty?

24 JUROR NUMBER 209: Yes.

25 THE COURT: And you would not be able to set



1 that aside for purposes of being a juror in this  
2 case?

3 JUROR NUMBER 209: Probably not.

4 THE COURT: Okay.

5 JUROR NUMBER 209: I don't think I would be  
6 able to.

7 MR. MOORE: Stipulate.

8 MR. BROWN: We'll stipulate.

9 THE COURT: Okay. Number 109 (sic.), I am  
10 going to release you as being considered as a juror  
11 in this case. I do appreciate you being here. I  
12 appreciate you being patient with us with regard to  
13 this and I appreciate you participating in the  
14 process. What I'm going to have you do, if you'll go  
15 downstairs, talk to the jury assembly room, tell them  
16 that you've been released as a juror in this case,  
17 they'll give some brief information and send you on  
18 your way. Okay?

19 JUROR NUMBER 209: Yes.

20 THE COURT: Okay. Thank you, sir.

21 JUROR NUMBER 209: You're welcome.

22 (Thereupon, Juror Number 209 exited the  
23 courtroom.)

24 THE COURT: Okay. For the record, Juror Number  
25 109 is released for cause.

1 MR. MCMASTER: 209.

2 THE COURT: I mean, Juror 209 is released for  
3 cause. Now, I know that 110 talked about maybe some  
4 projects at work.

5 MR. MCMASTER: 210.

6 THE COURT: 210. Did I say 110 again? Juror  
7 Number 210 talked about some maybe work related  
8 conflicts, sole income, his wife is pregnant. So, I  
9 will talk to him about that when he first comes in.  
10 So, if we could bring in Juror Number 210.

11 (Thereupon, Juror Number 210 was escorted into  
12 the courtroom by the court deputy and the proceedings were  
13 had as follows:)

14 THE COURT: Okay. Good afternoon Juror Number  
15 210.

16 JUROR NUMBER 210: Good afternoon.

17 THE COURT: Thank you for being here. We  
18 appreciate you being here. Thank you for  
19 participating in this process. Thank you for being  
20 patient with us. I know it's been a long afternoon  
21 for you. I assure you it's been a long day for us.  
22 So -- but I do want to thank you. When we talked to  
23 you previously you talked about some projects at work  
24 that you were working on and also talked about being  
25 the sole income for the family and your wife was

1 pregnant so you had some concerns about that, didn't  
2 know if you were going to get paid I think at work.  
3 So, tell me -- I asked you to follow up on that  
4 information. Tell me about that.

5 JUROR NUMBER 210: I checked with HR, they pay  
6 for up to two weeks of jury duty and I've got  
7 (unintelligible), the only problem with that is I was  
8 counting on using my time for FMLA leave, family  
9 leave when my wife has the baby and I  
10 (unintelligible) for that and my vacation time. So,  
11 it's either take three weeks unpaid (unintelligible).

12 THE COURT: Okay. And so does that concern  
13 you?

14 JUROR NUMBER 210: Yes.

15 THE COURT: And how does that concern you?

16 JUROR NUMBER 210: Three weeks without pay  
17 would, with a child on the way, is not good.

18 THE COURT: Okay. Would that -- some people  
19 say I don't like it I don't want to do it but I have  
20 some savings and I could do it. Other people say  
21 Judge, financially that would be devastating. So,  
22 you got to kind of help me and tell me where you're  
23 at.

24 JUROR NUMBER 210: I wouldn't be devastated but  
25 I don't have a child yet, our first child. So, I'm

1 not sure. We're spending a lot right now for things  
2 for the child so I'm not sure where our finances  
3 would be in three months if you were here for weeks  
4 but I don't think it wouldn't be -- it wouldn't be  
5 devastating but it would be extremely difficult.

6 THE COURT: Tell me about at work, projects at  
7 work.

8 JUROR NUMBER 210: Projects right now it's a  
9 really huge project for the organization, it's a new  
10 patient portal we're working on. There are a few  
11 plans (unintelligible) in June. So, we have to make  
12 that deadline and so we're working right now. We're  
13 all working overtime every week.

14 THE COURT: Tell me how you feel about being  
15 here.

16 JUROR NUMBER 210: It's part of my civic duty.  
17 I don't really want to do but it's part of my civic  
18 duty so (unintelligible) being charged for a case I'd  
19 want to have a jury.

20 THE COURT: Okay. Jury of people such as you?

21 JUROR NUMBER 210: Yeah.

22 THE COURT: When's are wife due? When's the  
23 baby due.

24 JUROR NUMBER 210: July 7th.

25 THE COURT: July 7th. Okay. Can I have a

1 bench conference?

2 (Thereupon, a benchside conference was had out  
3 of the hearing of Juror Number 210 as follows:)

4 THE COURT: You know, I didn't -- I should have  
5 asked him about being able to pay attention and I  
6 didn't ask him that.

7 MR. MOORE: Perhaps could the Court go into  
8 that and maybe find out about media a little bit  
9 because I don't.

10 THE COURT: About what?

11 MR. MOORE: Media, ask about media.

12 THE COURT: Okay. Okay. I'll do that.

13 MR. MOORE: At this point I don't think there's  
14 enough. I mean, it's close but.

15 THE COURT: I mean, I'm okay. I'll be happy to  
16 go further.

17 MR. MOORE: Okay.

18 (Thereupon, the benchside conference was  
19 concluded and the proceedings were had as follows:)

20 THE COURT: Okay. Juror Number 210, one of the  
21 things we ask you to do if you're a juror in this  
22 case is while you're here to give it your full  
23 attention. You said you understood how important  
24 this is. It's important to the State, it's important  
25 to the Defense, it's important to the defendant.

1 With this stuff going on in your life, do you think  
2 you would have any trouble with giving this case your  
3 full attention?

4 JUROR NUMBER 210: Definitely because I would  
5 be sitting over five weeks where I'd probably be  
6 thinking about work most of the time, going to check  
7 my e-mails or check on everything else and then as  
8 we -- mostly thinking about work.

9 THE COURT: You say you would have to during  
10 the breaks check your e-mails?

11 JUROR NUMBER 210: Yes.

12 THE COURT: Would you still -- even though you  
13 were here, would you still be involved in that  
14 project at work?

15 JUROR NUMBER 210: I would be working at night.

16 THE COURT: You would be working at nights to  
17 make up?

18 JUROR NUMBER 210: Yeah. Well, not make up  
19 fully because (unintelligible) be here for nine hours  
20 a day and eight hours a night and have a life.

21 THE COURT: But you would, you would -- and you  
22 have a wife or a life?

23 JUROR NUMBER 210: I have a life, a wife.

24 THE COURT: You're supposed to say wife before  
25 life especially with a kid on the way. So, you say

1 you would still have to go in at night to assist with  
2 the project?

3 JUROR NUMBER 210: I would be working from  
4 home, I wouldn't have to go in.

5 THE COURT: Okay. So, you would have to be  
6 probably on -- doing stuff on the Internet?

7 JUROR NUMBER 210: I'm a software operator,  
8 yeah.

9 THE COURT: So, be working at home with regard  
10 to work?

11 JUROR NUMBER 210: Yeah.

12 THE COURT: Even if you were serving on the  
13 jury.

14 JUROR NUMBER 210: Yeah.

15 THE COURT: I'm going to switch gears on you  
16 real quick.

17 MR. BROWN: We'll stip.

18 THE COURT: Then based on what I've heard, the  
19 attorneys have agreed that you can be released as a  
20 juror in this case. One, I want to thank you for  
21 being here. Thank you for being part of the process.  
22 I could have called you in earlier but I thought I  
23 needed to go by the numbers. I have to be as fair as  
24 possible and that's what I thought was the most fair  
25 thing to do was to go by the numbers. I'm going to

1 have you go downstairs, report to the jury assembly  
2 room, they'll give you some brief information and  
3 send you on your way. Okay? Okay. Thank you, sir.

4 JUROR NUMBER 210: Thank you. Have a nice day.

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

6 (Thereupon, Juror Number 210 exited the  
7 courtroom.)

8 THE COURT: Okay. Juror Number 210 will be  
9 released for cause. We can bring in Juror Number  
10 211.

11 (Thereupon, Juror Number 211 was escorted into  
12 the courtroom by the court deputy and the proceedings were  
13 had as follows:)

14 THE COURT: Okay. Juror Number 211, thank you  
15 for being here.

16 JUROR NUMBER 211: Thank you, Judge.

17 THE COURT: Thank you for being patient with us  
18 about this process. It's been a long process, I  
19 assure a long afternoon for you, it's been a long day  
20 for us as well.

21 JUROR NUMBER 211: And I respect it.

22 THE COURT: Okay. I appreciate that. When I  
23 talked to you the other day when you came to court I  
24 talked about some rules governing your service as a  
25 juror. So, I'm going to ask you about those rules,



1 and this started as of that time. So, since you came  
2 to court the other day, have you read or been exposed  
3 to reading newspaper headlines and/or articles  
4 relating to this trial or its participants?

5 JUROR NUMBER 211: S no, ma'am.

6 THE COURT: Have you seen or heard television,  
7 radio, or Internet comments about this trial?

8 JUROR NUMBER 211: No, ma'am.

9 THE COURT: Have you conducted or been exposed  
10 to any research regarding any matters concerning this  
11 case?

12 JUROR NUMBER 211: No, ma'am.

13 THE COURT: And have you discussed this case  
14 with other jury members or with anyone else or  
15 allowed anyone to discuss it in your presence?

16 JUROR NUMBER 211: No, ma'am.

17 THE COURT: Okay. I'm going to ask you some  
18 questions and then the State will have an opportunity  
19 to ask you some questions and the Defense will have  
20 an opportunity to ask you some questions. There are  
21 no right or wrong answers to these questions. What I  
22 ask you to do is be as honest, complete, frank about  
23 your answers. There are no right or wrong answers,  
24 you can say whatever you want. Sometimes people say  
25 Judge, can I say this or they're hesitant, don't be

1 hesitant, just tell us and if there's information  
2 that you think we need to know, let us know that.  
3 I'm going to talk to you about knowledge about the  
4 case, what you knew prior to coming here, talk to you  
5 about the death penalty. Most of the questions that  
6 will be asked of you we would like a yes or no  
7 response, but we understand sometimes you can give us  
8 a yes or no response. We may be asking you some  
9 questions that you never really thought about before.  
10 So, if you -- if the answer is I don't know, that's a  
11 valid response as well. Okay. The first question is  
12 pretty easy. Do you know anything about this case  
13 either from your own personal knowledge, rumor, by  
14 discussions with anyone else, or from the media,  
15 including radio, television, Internet, electronic  
16 device, or newspaper?

17 JUROR NUMBER 211: Yes, ma'am, from you the  
18 other day and from my coworkers talking about it  
19 because I don't watch the news.

20 THE COURT: Okay. So, when I was here -- when  
21 you heard me discuss -- talk about the case the other  
22 day. So, that's when you learned what case it was  
23 and what the charges are, correct?

24 JUROR NUMBER 211: Yes.

25 THE COURT: And then you said your coworkers

1 were talking about it?

2 JUROR NUMBER 211: Yes, the day after they were  
3 talking about something, I thought it was about the  
4 case of ranger and the (unintelligible), I thought  
5 they were it was that in the news. So, they were  
6 talking about, they said no, this lady they showed in  
7 the newspaper, that's about it.

8 THE COURT: Okay. So, was that after you came  
9 for jury duty?

10 JUROR NUMBER 211: Oh, no, ma'am, this was when  
11 it happened.

12 THE COURT: Okay. When it happened. Tell me  
13 what you do for a living.

14 JUROR NUMBER 211: I work for Wal-Mart.

15 THE COURT: You work for who?

16 JUROR NUMBER 211: Wal-Mart.

17 THE COURT: Oh, that's right. I remember that  
18 from the other day. So, people at Wal-Mart were  
19 talking about the case? They showed you a newspaper  
20 article?

21 JUROR NUMBER 211: (Unintelligible) but just  
22 discussed it because we just came into work that  
23 morning and they were looking at the newspaper. So,  
24 I overheard them and I said, I said I thought it was  
25 about the case like few years back and they said no.

1 I don't watch the news so that's why they were like  
2 informing me.

3 THE COURT: So, they talked about it like the  
4 day after the case involves a shooting of a deputy.

5 JUROR NUMBER 211: Yes, ma'am, all I heard was  
6 there was high speed chase, an officer was killed and  
7 two people, you know, that's all I heard.

8 THE COURT: Okay. Did you hear anything since  
9 then? Did you here anything about this case and  
10 picking a jury in this case?

11 JUROR NUMBER 211: No, ma'am.

12 THE COURT: That's okay, there's -- no, no,  
13 that's fine, I'm just asking. Did you -- did you  
14 ever see a picture of Mr. Bradley and -- see a  
15 picture of Mr. Bradley in the paper?

16 JUROR NUMBER 211: I probably did but I kind of  
17 like remember the girl more.

18 THE COURT: Okay. So, you may have seen him  
19 but you don't even remember that?

20 JUROR NUMBER 211: No, ma'am.

21 THE COURT: Tell me what you know about the  
22 girl.

23 JUROR NUMBER 211: That she has, I think, long  
24 blonde hair and kind of -- the thing that I  
25 remembered was her eyebrows somehow or another.

1 THE COURT: So, her eyebrows left an impression  
2 with you?

3 JUROR NUMBER 211: Yes. I don't know why.

4 THE COURT: That's okay. And do you know  
5 anything about the girl since that time?

6 JUROR NUMBER 211: No, ma'am.

7 THE COURT: Did you here anything about the  
8 case since then?

9 JUROR NUMBER 211: No, ma'am.

10 THE COURT: Okay. What we ask you to do in  
11 this case is to set aside anything that you may have  
12 learned about this case, serve with an open mind and  
13 reach a verdict based only on the law and the  
14 evidence presented in this trial in this courtroom,  
15 can you do that?

16 JUROR NUMBER 211: Yes, ma'am.

17 THE COURT: Okay. Is English your primary  
18 language?

19 JUROR NUMBER 211: No, ma'am, it's Phillipino  
20 language, that's I was going to tell you too that  
21 there are certain words and terms like medical and  
22 legal that I don't understand it.

23 THE COURT: Okay. How long have you been in  
24 this country?

25 JUROR NUMBER 211: Thirty years.

1 THE COURT: Do you speak English at home?

2 JUROR NUMBER 211: Yes, ma'am.

3 THE COURT: Do you have kids?

4 JUROR NUMBER 211: Yes, ma'am.

5 THE COURT: Do they speak English?

6 JUROR NUMBER 211: Oh, yes, that's their  
7 primary language.

8 THE COURT: Okay. You -- the other day I gave  
9 some instructions and I probably had some legal terms  
10 in those instructions, did you understand what I said  
11 the other day?

12 JUROR NUMBER 211: Yes.

13 THE COURT: Yes?

14 JUROR NUMBER 211: Yes.

15 THE COURT: So, when I talked about aggravating  
16 circumstances and I gave you a definition for those,  
17 did you understand that?

18 JUROR NUMBER 211: Yes.

19 THE COURT: When I talked about mitigating  
20 circumstances and I gave a definition for those, did  
21 you understand that?

22 JUROR NUMBER 211: Yes, ma'am.

23 THE COURT: So, have I said anything that you  
24 haven't understood so far? If I could talk correct  
25 English it would be better, but have I said anything

1 that you haven't understood so far?

2 JUROR NUMBER 211: No, ma'am, so far I've  
3 understood you said.

4 THE COURT: Do you have any concerns about  
5 being able to serve that you would understand what  
6 people said?

7 JUROR NUMBER 211: No, ma'am.

8 THE COURT: Okay. So, it's not concerning of  
9 you?

10 JUROR NUMBER 211: I -- yeah, I just want to  
11 bring it up.

12 THE COURT: Okay. So, I assume you've been  
13 speaking English for thirty years, is that correct?

14 JUROR NUMBER 211: Well, since we were in grade  
15 school, since I attended school because in the  
16 Philippines when I was in school, I think it changed  
17 now, but English is our primary language, they taught  
18 us in English.

19 THE COURT: Okay. Then I'm okay with that.  
20 Now, when you heard the news about this case, did you  
21 and your coworkers, did you talk about -- well, let's  
22 start over. Did you -- did it make an impression on  
23 you? Did it make you feel any way?

24 JUROR NUMBER 211: No, ma'am.

25 THE COURT: No. Didn't really think about it?

1 JUROR NUMBER 211: No. I'm sorry but no.

2 THE COURT: That's okay. There's no right or  
3 wrong answers, just trying to find out how this case  
4 may have affected you. So, did you form any opinions  
5 about the guilt or innocence of Mr. Bradley?

6 JUROR NUMBER 211: No, ma'am, I don't really --  
7 I didn't really know what the case was about, this is  
8 the first time that I heard what -- all I thought was  
9 it's going to be (unintelligible), you know, like  
10 somebody stealing a car or drug related, I just think  
11 that in my mind.

12 THE COURT: But you didn't -- and after that  
13 you didn't hear anything else about it?

14 JUROR NUMBER 211: No, ma'am.

15 THE COURT: Other than you remembered the  
16 lady's eyebrows.

17 JUROR NUMBER 211: I'm sorry.

18 THE COURT: No, that's okay. I remember things  
19 like that too. So, I'm -- that's okay. Now I'm  
20 going to switch gears on you, do you -- what are your  
21 views about the death penalty?

22 JUROR NUMBER 211: To be honest, what's the  
23 word, I am not against it, it's -- I have to explain.

24 THE COURT: You're more than welcome to  
25 explain.



1 JUROR NUMBER 211: Because I'm for it but since  
2 you mentioned it the other day, all of a sudden it  
3 just -- I still believe in it, it's just that -- I  
4 can't describe my feeling about it now. I still  
5 believe in it but I was thinking about it that night  
6 and I closed my eyes and all I could see was this  
7 hanging bridge and it's swaying. So, I don't know  
8 what it meant. I'm so sorry but I have this...

9 THE COURT: Well, it's easy for people to talk  
10 about the death penalty when they don't have to be  
11 involved with it, but when you come here and you're  
12 talking about the death penalty and it involves an  
13 actual person --

14 JUROR NUMBER 211: Exactly.

15 THE COURT: -- that makes it a lot more  
16 difficult.

17 JUROR NUMBER 211: Yes, ma'am, that's exactly  
18 how I feel.

19 THE COURT: So, you said before you came in  
20 here you were -- if I had to put you in a category  
21 for the death penalty or against the death penalty,  
22 you were for the death penalty?

23 JUROR NUMBER 211: Yes, ma'am.

24 THE COURT: But since you've been in here  
25 you've thought about it and how do you feel now about

1           it?

2                   JUROR NUMBER 211:  It's the same, it's just  
3           that I don't -- (unintelligible) think about it but I  
4           still am.

5                   THE COURT:  Okay.  What -- in this case, in the  
6           first part of the case it's called the guilt phase,  
7           if the jury returns a verdict of guilty on Count I,  
8           Count I is first degree murder, then we proceed to a  
9           second phase called the penalty phase and in the  
10          penalty face the jury will hear evidence of  
11          aggravating circumstances, aggravating makes things  
12          worse, mitigating circumstances, mitigating means to  
13          lessen, makes things less, and then you will be  
14          instructed to go through a weighing process and in  
15          that weighing process, after you do go through the  
16          weighing process of the aggravating circumstances  
17          against the mitigating circumstances, the jury --  
18          each juror will make a recommendation to me of a  
19          possible penalty and the penalties for you to  
20          consider are death or life in prison without the  
21          possibility of parole, could you be able to consider  
22          both possible penalties in this case?

23                   JUROR NUMBER 211:  Yes, ma'am.

24                   THE COURT:  Okay.  Now, you know that this --  
25          in order to get even to this phase there has to be --

1 to the second phase, the death penalty, I mean the  
2 death penalty phase, there has to be a guilty verdict  
3 for murder in the first degree. So, are you of the  
4 opinion that death is the only appropriate penalty  
5 for murder in the first degree?

6 JUROR NUMBER 211: No, ma'am.

7 THE COURT: So, you would be open to consider  
8 life in prison without the possibility of parole as a  
9 possible penalty as well?

10 JUROR NUMBER 211: Yes, ma'am.

11 THE COURT: How do you feel -- what's your  
12 feelings about having to make that decision?

13 JUROR NUMBER 211: Awful.

14 THE COURT: Awful?

15 JUROR NUMBER 211: But it has to be done.

16 THE COURT: Okay. Some people say Judge, I  
17 know that I need to do this, you know, it's kind of  
18 part of your duty as a citizen of the United States,  
19 I appreciate that, Judge, but I just can't do this,  
20 this is too important a decision for me to be part of  
21 this process. Other people say I don't like it,  
22 maybe you'd rather be any place right now than here  
23 but you know -- you accept that responsibility and  
24 you're willing to do it. Tell me how you feel.

25 JUROR NUMBER 211: I don't know. I feel like

1 I'm in limbo right now.

2 THE COURT: Because later on you can't say --  
3 you know, this trial is going to last probably  
4 through the first or second week of April. We're a  
5 little behind schedule. We're supposed to go through  
6 March but it may be the first week of April, second  
7 week of April. So, it's a long trial. The process,  
8 you know, it's going to be a long day since we're  
9 going to be here. Do you think that you could handle  
10 this responsibility and be a part of this process?

11 JUROR NUMBER 211: Yes, ma'am.

12 THE COURT: Okay. All right. Questions by the  
13 State.

14 MR. BROWN: Yes, Your Honor. Juror Number 211,  
15 good afternoon.

16 JUROR NUMBER 211: Good afternoon.

17 MR. BROWN: You certainly -- I can tell you've  
18 had a visible reaction to kind of the reality of  
19 where you're sitting right now.

20 JUROR NUMBER 211: It's noticeable?

21 MR. BROWN: And I do want to ask you, you know,  
22 the Judge has asked you about can you do it, how do  
23 you feel about being put in this situation of  
24 ultimately making a life or death recommendation?

25 JUROR NUMBER 211: I really don't know. I

1 thought about it and I just -- I don't know, I can't  
2 describe my feelings, just it's a gray area.

3 MR. BROWN: What do you mean by gray area?

4 JUROR NUMBER 211: I'm sorry?

5 MR. BROWN: What do you mean by a gray area?

6 JUROR NUMBER 211: I don't know. I don't  
7 really know where to place myself. As I said, I  
8 believe the death penalty but to be put in a position  
9 that I might be like maybe, you know, part of the  
10 decision maybe, it's difficult. It's not just an  
11 opinion anymore, it's a reality.

12 MR. BROWN: Has it caused you -- since you were  
13 here on Tuesday, has it caused you a lot of stress?

14 JUROR NUMBER 211: I'm going to say because I  
15 try not to think about it, I just thought of death  
16 penalty and that's it.

17 MR. BROWN: Knowing that if you're selected  
18 it's going to be several weeks, are you concerned  
19 about the stress it may have on you?

20 JUROR NUMBER 211: No, sir.

21 MR. BROWN: Let me go through the process with  
22 you and what you have to go through to get to the  
23 position of making a recommendation. Okay. First as  
24 the Court talked about, you would have to come back  
25 with a verdict of guilty of first degree murder.

1 There's two ways for the State to prove first degree  
2 murder, one is premeditated murder, the other is  
3 what's called felony murder which is a death  
4 resulting during the commission of certain felonies  
5 and either way -- the State can prove first degree  
6 murder under either theory, we may prove both, but  
7 either theory the jury finds we proven it, it would  
8 result in a conviction for first degree murder. We  
9 would then reconvene, the jury would hear additional  
10 evidence, the Judge would give her final set of  
11 instructions to you and what she would tell you is  
12 the first thing to look at would be what are called  
13 aggravating circumstances and what the Judge  
14 indicated to you on Tuesday, aggravating  
15 circumstances is a legal list, a statutory list that  
16 circumstances that may increase the gravity of the  
17 crime or the harm to the victim and you have to look  
18 at those aggravating circumstances and the first  
19 thing is has the State proven any of those  
20 circumstances, and we have to prove them beyond and  
21 to the exclusion of any reasonable doubt and if we've  
22 proven them, if you look at it and you say the State  
23 of Florida hasn't proven any of those, then you have  
24 to return a life recommendation because you would  
25 have found that there's no aggravation. If you feel

1 the State's proven at least one, and there's going to  
2 be a list, I expect it to be more than one, likely be  
3 three, four, five or so, if you feel the State has  
4 proven at least one of those, maybe we proved more  
5 than one, we may prove them all, but if you feel  
6 we've proven more than one and you look at that  
7 aggravating circumstance and ask yourself do these  
8 aggravating circumstances justify the death penalty  
9 because it's to those circumstances and to those  
10 alone that you look to for the legal justification to  
11 justify recommending the death penalty. Okay. If  
12 you find -- if you look at those circumstances and  
13 say these do not justify the death penalty, then you  
14 return a recommendation of life. If you look at  
15 those and find that they do justify the death  
16 penalty, you go to the second step of the process and  
17 that's to look at what is called mitigating  
18 circumstances. If you recall from what the Judge  
19 said to you on Tuesday, those are circumstances  
20 concerning the defendant, his life, character,  
21 background, everything concerning him and what's  
22 happened to him and as aggravators may suggest the  
23 penalty of death, mitigators may suggest the  
24 recommendation for life, a life sentence. And the  
25 Court's going tell you you have to go through and

1 weigh the two of those.

2 Now, in your life, have you ever had to make  
3 key, critical, important decisions? Have you made  
4 important decisions in your life?

5 JUROR NUMBER 211: I want to say yes but I  
6 can't think of anything right now.

7 MR. BROWN: It may be a question I'll have for  
8 you tomorrow if you advance that far, but when you've  
9 had to make decisions, have you tried to look at  
10 everything involved?

11 JUROR NUMBER 211: Oh, of course.

12 MR. BROWN: Look at all -- consider all the,  
13 factors, right? And some things you looked at, some  
14 factors you looked at and said this is pretty darn  
15 important to this decision, right?

16 JUROR NUMBER 211: Yes.

17 MR. BROWN: And you gave that factor great  
18 weight. Other factors, you look at them, you  
19 considered them, you thought about them, you looked  
20 at them said, you know, in the greater scheme of  
21 things this just really isn't that important and you  
22 gave it very little weight, right?

23 JUROR NUMBER 211: Yes.

24 MR. BROWN: And then you just kind of put  
25 everything together, weighed it all out and came to a



1 decision, right?

2 JUROR NUMBER 211: Yes.

3 MR. BROWN: The Judge is going to tell you it's  
4 the same type of process that you go through here.  
5 You take those aggravating circumstances and you take  
6 those mitigating circumstances and you compare and  
7 you weigh them. Now, she's not going to tell you any  
8 magic formula for determining how much weight to give  
9 everything. She's not going to say aggravator number  
10 one gets X amount of weight or mitigator number one  
11 gets X amount of weight. She's not going to give you  
12 any guidelines, it's for you to determine how much  
13 weight to give them. That's something that you as a  
14 juror have to decide. Okay. You determine how much  
15 weight to give to the aggravators and you determine  
16 how much weight to give the mitigator and it's not  
17 just a numbers game or anything like that, look at  
18 them, the magnitude what they mean and just compare  
19 and weigh. Okay. And if you look at it and you  
20 decide that the mitigation outweighs the aggravation,  
21 then you're to recommend a life sentence. On the  
22 other hand, if you feel the mitigation does not  
23 outweigh the aggravation, then you're in a position  
24 where you can legally -- you're legally justified in  
25 recommending to the Court the death penalty.

1           Now, the Court's not going to tell you if the  
2 State proves A, B, C and D that you must return a  
3 death penalty recommendation. In fact, she's going  
4 to tell you that a death recommendation is never  
5 required. What is required is you do that weighing  
6 process, fairly look at all the aggravators, fairly  
7 look at and consider all the mitigators and weigh  
8 them and when you go through that weighing process if  
9 you find that the aggravators still come out on top,  
10 that they're not outweighed by the mitigators and in  
11 your mind after weighing them that the aggravators  
12 justify the death penalty, that's when you can  
13 recommend the death penalty. Okay?

14           JUROR NUMBER 211: Yes.

15           MR. BROWN: Any questions about that process?

16           JUROR NUMBER 211: No, sir.

17           MR. BROWN: Do you understand it?

18           JUROR NUMBER 211: Yes, sir.

19           MR. BROWN: Anything that I talked about that  
20 you've had any problems or difficulty in  
21 understanding?

22           JUROR NUMBER 211: No, sir.

23           MR. BROWN: Are you open to considering that  
24 list of aggravators that the Judge is going to give  
25 you?

1 JUROR NUMBER 211: Yes, sir.

2 MR. BROWN: Okay. And likewise, are you  
3 opening to considering whatever mitigation, things  
4 about the defendant's life, that the Defense brings  
5 up?

6 JUROR NUMBER 211: Yes, sir.

7 MR. BROWN: I'm not going to ask you and it  
8 wouldn't be fair, I'm not going to ask you how much  
9 weight you would give to an aggravator or to a  
10 mitigator because at this point you wouldn't know,  
11 right?

12 JUROR NUMBER 211: Yes, sir.

13 MR. BROWN: Is that right?

14 JUROR NUMBER 211: That's right.

15 MR. BROWN: Until you hear them all and hear  
16 all the evidence to support them and go back and  
17 start weighing them you don't know how much weight to  
18 give them.

19 JUROR NUMBER 211: Yes, sir.

20 MR. BROWN: Even if I told you for this all the  
21 evidence you're going to hear for this particular  
22 fact else, unless you hear everything else you don't  
23 know how to weigh it on the scale, right?

24 JUROR NUMBER 211: Yes, sir.

25 MR. BROWN: So, no one is going to ask you how

1 much weight you would give to something, the key is  
2 would you be open to considering it. Now, you may in  
3 the back of your mind be thinking I'd consider that,  
4 I may not give it a whole lot of weight but at least  
5 be open to consider something. Okay. You understand  
6 that?

7 JUROR NUMBER 211: Yes, sir.

8 MR. BROWN: And that's why I say, the  
9 aggravators -- you consider the list that she gives  
10 you to justify the death penalty and consider the  
11 mitigators. Knowing that process and what you have  
12 to do, what do you think about your being put in the  
13 situation you have to make that recommendation?

14 JUROR NUMBER 211: (Unintelligible).

15 THE COURT: Okay. I can't hear you.

16 JUROR NUMBER 211: I said it would sound like I  
17 don't care but it's like since I'm not there there  
18 yet, I really don't have any feelings about it. I'm  
19 sorry.

20 MR. BROWN: I'm not asking you -- I don't want  
21 to you take my question as to being what would you --  
22 how would you vote or what would you decide.

23 JUROR NUMBER 211: I understand.

24 MR. BROWN: But now knowing, kind of knowing  
25 the process, and hopefully I've explained to you,

1 knowing what you have to do and step by step.  
2 Sometimes some people come in they're unsure, their  
3 feelings are unsettled, they learn the process they  
4 say I can do that, others say now that I know it it's  
5 just too much for me and I can't do that. How do you  
6 feel?

7 JUROR NUMBER 211: I'm okay with it. I think I  
8 can do it.

9 MR. BROWN: Can you do it?

10 JUROR NUMBER 211: Yes. Just like you said,  
11 it's just like, you know, like deciding some stuff,  
12 you know, like our daily lives, you know, we have to  
13 decide stuff.

14 MR. BROWN: You have to weigh things and you  
15 have to decide.

16 JUROR NUMBER 211: Yes.

17 MR. BROWN: Can you, if you feel it's  
18 justified, I'm not asking will you, but can you if  
19 you went through the weighing process and feel that  
20 the aggravators were not outweighed by the  
21 mitigators, they came up on top and the death penalty  
22 in your mind was justified, can you recommend a  
23 sentence of death?

24 JUROR NUMBER 211: Because of (unintelligible).

25 MR. BROWN: Keep in mind as we talked earlier,

1 the Judge isn't going to tell you that you're  
2 required to.

3 JUROR NUMBER 211: Yes.

4 MR. BROWN: So, there's no -- she's not going  
5 to say if you find A, B and C you must recommend  
6 death. So, you have to hear from her that it calls  
7 for this, there's no mandatory death. So, that's why  
8 I'm asking you the question. If you find that the  
9 aggravators outweigh the mitigators and they justify  
10 the death penalty, can you recommend a death penalty?

11 JUROR NUMBER 211: Yes.

12 MR. BROWN: Your Honor, I have no further  
13 questions. Thank you.

14 THE COURT: Okay. Questions by the Defense.

15 MR. PIROLO: Yes, Your Honor, thank you. Good  
16 evening, how are you?

17 JUROR NUMBER 211: I'm good.

18 MR. PIROLO: You appear to be very nervous  
19 sitting here.

20 JUROR NUMBER 211: I wasn't but now all of  
21 sudden just start shaking, I don't know.

22 MR. PIROLO: That's okay. Do you want to sit  
23 on this jury?

24 JUROR NUMBER 211: In the beginning no, but  
25 then I was thinking it's my duty, yes.

1 MR. PIROLO: Well, but on this particular one,  
2 I mean, do you think maybe you would be a better  
3 juror on a different kind of case, maybe one that  
4 won't take as long and it's not as serious?

5 JUROR NUMBER 211: (Unintelligible)  
6 necessarily, I just neutral. I don't know. I don't  
7 know how to, you know. I guess I just told myself  
8 whatever happens I'm open to that.

9 MR. PIROLO: All right. Let's -- when you  
10 first started talking to the Judge or the Judge  
11 started asking you questions you said coworkers, you  
12 found out about it threw coworkers, right?

13 JUROR NUMBER 211: Yes, sir.

14 MR. PIROLO: Okay. Did they ever bring up Mr.  
15 Bradley's name?

16 JUROR NUMBER 211: I believe so.

17 MR. PIROLO: Did they ever say a guy, a boy  
18 shot a cop?

19 JUROR NUMBER 211: I think what they said was  
20 two young kids.

21 MR. PIROLO: Okay. Now you know one of the two  
22 young kids is Mr. Bradley, right?

23 JUROR NUMBER 211: Yes.

24 MR. PIROLO: And when it came up at work, was  
25 it that the two young kids were the ones who were

1 involved in the killing of the police officer?

2 JUROR NUMBER 211: Yes.

3 MR. PIROLO: So, when you heard that, did you  
4 form an opinion that those two kids, a boy and a  
5 girl, and they were involved in killing a police  
6 officer?

7 JUROR NUMBER 211: The only thing that I think  
8 was oh, maybe it's they stole a car, carjacking, or  
9 some kind of drugs and then that's it, they stopped  
10 talking about because we had to work.

11 MR. PIROLO: Okay. But you did find out that a  
12 police officer was killed?

13 JUROR NUMBER 211: Yes, sir.

14 MR. PIROLO: Okay. And it came up that two  
15 kids as you said were involved in the police officer  
16 getting killed?

17 JUROR NUMBER 211: Yes.

18 MR. PIROLO: Right?

19 JUROR NUMBER 211: Yes.

20 MR. PIROLO: When you came in a couple of days  
21 ago and you found out this is the trial that you may  
22 sit on that you talked about at work, did you sit  
23 here and look at Mr. Bradley and say, well, that's  
24 one of the two kids that were involved in the killing  
25 of a policeman, a police officer?



1 JUROR NUMBER 211: I sense that but it didn't  
2 really dawn on me, but the (unintelligible) kept  
3 nudging me and said something like we're going to be  
4 on TV and I was like -- I was thinking with all these  
5 cameras and then he said that's the guy, that's the  
6 guy. So, I looked at him and I still cannot put him  
7 where until the Judge said something.

8 THE COURT: You said the juror was sitting next  
9 to you?

10 JUROR NUMBER 211: (Unintelligible).

11 MR. PIROLO: Right, but -- well, was it the  
12 sitting beside 212?

13 JUROR NUMBER 211: Right, yes.

14 MR. PIROLO: He was telling you that's the guy?

15 JUROR NUMBER 211: Yes, he said that's the guy,  
16 that's the guy.

17 MR. PIROLO: That's the guy that what, killed  
18 the police officer?

19 JUROR NUMBER 211: No, he said that's the guy,  
20 that's the guy.

21 MR. PIROLO: Okay. And what were your feelings  
22 about that? I mean, did you just --

23 JUROR NUMBER 211: I just said okay  
24 (unintelligible).

25 MR. PIROLO: Okay. But in your mind also when

1 he's saying that's the guy, then you found out it's  
2 the same case that your coworkers were talking about,  
3 did you then sit there and kind of feel well, that's  
4 the guy that killed the police officer? Did that  
5 ever cross your mind? Yes.

6 JUROR NUMBER 211: No.

7 MR. PIROLO: As you sit here today, as you sit  
8 here right now when you look at Mr. Bradley, what are  
9 your thoughts about him? Are you looking at him and  
10 saying that's one of the young kids that was involved  
11 in killing a police officer? If the answer is yes,  
12 it's okay.

13 JUROR NUMBER 211: Yeah, because I know who the  
14 case involved but (unintelligible). I sound like a  
15 person like with no feelings whatsoever.

16 MR. PIROLO: No, you definitely doesn't sound  
17 like a deaf person. I think you have a lot of  
18 feelings and that's good. But do you have the  
19 opinion as you sit here right now that Mr. Bradley is  
20 one of the kids that killed a police officer?

21 JUROR NUMBER 211: Do I have an opinion that?

22 MR. PIROLO: Yeah.

23 JUROR NUMBER 211: No, because as I said I  
24 don't know much, I know he's involved and. I don't  
25 know.

1 MR. PIROLO: When you say involved, what do you  
2 mean by involved, that he had something to do with  
3 it, how far involved is it?

4 JUROR NUMBER 211: Like with the officer,  
5 that's all I know.

6 MR. PIROLO: So, he's involved in the killing  
7 of the police officer?

8 JUROR NUMBER 211: Yes.

9 MR. PIROLO: In your mind that's what your  
10 belief is, right?

11 JUROR NUMBER 211: Yeah, because it was said.

12 MR. PIROLO: Let me back up. The Judge earlier  
13 said that one of the instructions she's going to read  
14 to you is that you've got to presume Mr. Bradley to  
15 be innocent. Okay. And I have a hard -- when you  
16 come in, you come in with a conversation you had at  
17 work with coworkers, you know, a fellow juror said  
18 something to you that's the guy and you sit here  
19 under some kind of opinion that he's one of the kids  
20 that killed the police officer, can you just forget  
21 about that, set it aside and look at him as being  
22 innocent, because he is innocent as he sits here  
23 right now, or can you just say Judge, I understand  
24 what the law is, I just -- I can't, I think he's  
25 involved? Once you get that feeling that he's

1 involved, I can't forget about that feeling that he's  
2 involved.

3 JUROR NUMBER 211: I think I could forget about  
4 it because I just see him (unintelligible).

5 MR. PIROLO: How do you think you can just  
6 forget about it?

7 JUROR NUMBER 211: (Unintelligible). I think  
8 it's one of my sister said you have anything you want  
9 to forget or like is stressing you out or something,  
10 just think of something that will make you happy and  
11 it seem to work for me because I've been doing it for  
12 years. Sorry.

13 MR. PIROLO: That's okay. Do you think you can  
14 just set aside that feeling, that opinion that you  
15 have as you said that Mr. Bradley was involved in  
16 this?

17 JUROR NUMBER 211: That's not my opinion that  
18 he's involved, my opinion was somebody highjacked a  
19 person in carjack and (unintelligible). I think  
20 associated like -- I don't know how to explain it.  
21 Your question is if I could set aside, yes, I could.

22 MR. PIROLO: Okay. You think you'd any  
23 difficulty when you're in the deliberation room with  
24 the other jurors on -- and try -- because what will  
25 happen in there is you're all going to talk about the

1 evidence that you've heard. You think you're going  
2 to have any difficulty on trying to convey, you know,  
3 to bring out what you believe in the case? Because  
4 it's not -- you're getting a little anxious here.

5 JUROR NUMBER 211: (Unintelligible) because my  
6 coworkers know me exactly.

7 MR. PIROLO: It could be even more heated in  
8 the deliberation room. You know, what happens in  
9 that room, there's no police officers in there like  
10 here, there's no judge, it's just a bunch of people  
11 sitting around a table, standing around a table  
12 talking about what they heard, what they saw in the  
13 trial and you think you can convey, can you bring out  
14 what you believe in the case?

15 JUROR NUMBER 211: Yes.

16 MR. PIROLO: Okay. Do you think you would just  
17 follow someone's vote just because they vote that  
18 way? If eleven people are staring at you and said  
19 you got to vote our way because this is, this is our  
20 opinion, this is what we heard, this is what we saw,  
21 you got to vote with us? No? You just have to speak  
22 up so it gets recorded.

23 JUROR NUMBER 211: No. I just want to say,  
24 talk to my coworkers because (unintelligible).

25 MR. PIROLO: Well, we can't -- we can only talk

1 to you. You're going to have to decide if we get --  
2 do you understand there's two parts to the trial  
3 potentially. The first part would be whether or not  
4 Mr. Bradley is guilty or not guilty. Okay. Now,  
5 only if the jury comes back with a guilty verdict of  
6 first degree murder, then we move on to the second  
7 part of the trial. You follow me so far?

8 JUROR NUMBER 211: Yes.

9 MR. PIROLO: Now, that part of the trial you're  
10 going to have to decide whether or not Mr. Bradley --  
11 now, at that point we're going to be literally  
12 speaking about another person's life, you're going to  
13 be put in the position of whether Mr. Bradley spends  
14 the rest of his life in prison until he dies or he's  
15 executed, can you make that decision? Can you get --  
16 put yourself in that position? Can you make a  
17 decision like that?

18 JUROR NUMBER 211: I think so.

19 MR. PIROLO: I'm sorry.

20 JUROR NUMBER 211: I said I can.

21 MR. PIROLO: You can? Okay. Let's say  
22 tomorrow there's a new state and the state is called  
23 Juror 211 State, you're the governor of that state,  
24 you make all the rules in that state, would you have  
25 a death penalty?

1 JUROR NUMBER 211: Yes, I would.

2 MR. PIROLO: Why?

3 JUROR NUMBER 211: Because I think -- when I  
4 think about death penalty because of when I grew up  
5 in the Philippines and then when we changed I felt --  
6 I didn't like the change. I don't know if you're  
7 familiar with our country. So, that's why I am for  
8 it.

9 MR. PIROLO: What -- tell us about that change.  
10 What --

11 JUROR NUMBER 211: For me it's the -- there's  
12 no discipline anymore, people just do what they want,  
13 for every little thing they kill people, they kill  
14 (unintelligible). I don't know the whole story but  
15 that's why I said it's just my opinion that I want  
16 the death penalty, but then I -- when I talk about  
17 the death penalty and being for it it's because I was  
18 thinking of my country. Then when I was called to  
19 this case and I found out what's about Tuesday and  
20 thought about that, I still believe in it, just that  
21 I don't want (unintelligible) it's reality, it's more  
22 like more three dimensional for me now. I don't know  
23 how to say it.

24 MR. PIROLO: Life without parole here in the  
25 State of Florida means that -- a person gets

1 sentenced to life without parole means that that  
2 person dies in prison, they never get out. Okay. Do  
3 you think that would be an appropriate discipline as  
4 you put or is life without parole just it's not  
5 discipline, it's if you take a life, your life should  
6 be taken as well?

7 JUROR NUMBER 211: It depends on what's it  
8 about, you know. Like, it's not -- it's appropriate  
9 I would say.

10 MR. PIROLO: Mr. Brown talked to you earlier  
11 about first degree murder and there's two ways of  
12 getting to it, it could be felony murder or  
13 premeditated murder. Premeditated murder is  
14 basically the person planned it, meant to do it, did  
15 it. Okay. If you found a person guilty of first  
16 degree murder and you found that that murder was  
17 premeditated, you were convinced that the person  
18 planned it, meant to do it and did it, okay, could  
19 you still consider life without parole as a proper  
20 sentence or discipline as you put it, or in a case  
21 like that would you say when a person plans it, means  
22 to do it and does it, you know, it just has to be the  
23 death penalty.

24 JUROR NUMBER 211: The question is if I still  
25 consider the death sentence?



1 MR. PIROLO: Right, or is it one of those cases  
2 that only the death penalty is the proper penalty?

3 JUROR NUMBER 211: Only the death penalty only?

4 MR. PIROLO: Right, that's what I'm asking you,  
5 or would you be open to life?

6 JUROR NUMBER 211: Oh, open to life.

7 MR. PIROLO: Okay. I'm going to ask you -- did  
8 you -- well, let's pretend for a moment, it's a  
9 hypothetical, okay, that you're selected for this  
10 trial. In the first part you find Mr. Bradley guilty  
11 of first degree murder. Okay. So, that means you  
12 get to the second part and the State proved to you  
13 aggravating circumstances. You've been following the  
14 Judge when she was talking about the aggravating  
15 circumstances?

16 JUROR NUMBER 211: Yes, sir.

17 MR. PIROLO: And you understand that right now?

18 JUROR NUMBER 211: Yes.

19 MR. PIROLO: Pretty much things that make the  
20 case or the crime worse.

21 JUROR NUMBER 211: Yes.

22 MR. PIROLO: Okay. What's your understanding  
23 at that point if you believe aggravating  
24 circumstances exist, are you required to do anything  
25 at that point?

1 JUROR NUMBER 211: What you mean required to?

2 MR. PIROLO: You said -- what do you think --  
3 what's your next step after that?

4 JUROR NUMBER 211: First to decide on his fate.

5 MR. PIROLO: Okay. How would you decide that?  
6 Would you just continue to listen and consider or  
7 would you still be considering waiting for the  
8 mitigating evidence to come up? Let me put it this  
9 way. If the State shows or proves to you aggravating  
10 circumstances. Okay?

11 JUROR NUMBER 211: Um-hmm.

12 MR. PIROLO: Let's say they give you six  
13 aggravating circumstances, you hear about six  
14 aggravating circumstances, can you sit there and  
15 still consider mitigating circumstances or is that  
16 enough at that point? You found someone guilty of  
17 premeditated murder and now you've heard six  
18 aggravating circumstances, you're done, you can't  
19 listen to anything mitigating?

20 JUROR NUMBER 211: Of course, we have to listen  
21 to the other side.

22 MR. PIROLO: You do, but will you just sit  
23 there and listen to it because that's what you're  
24 suppose to do, you're supposed to listen to but could  
25 you actually sit there, listen to it and consider it?

1 I mean, do you understand the difference between  
2 listening to something and considering it? They're  
3 two different things.

4 JUROR NUMBER 211: Yes.

5 MR. PIROLO: Listening you hear it. Okay.  
6 Fine, I heard it. I don't care what I just heard,  
7 I'm not even going to consider it.

8 JUROR NUMBER 211: Yes, of course, I would  
9 consider.

10 MR. PIROLO: Can you do that even if there are  
11 aggravating circumstances that the State's proven to  
12 you?

13 JUROR NUMBER 211: Yes, sir.

14 MR. PIROLO: And you understand that if there  
15 are aggravating circumstances, you're never required  
16 to return a death recommendation?

17 JUROR NUMBER 211: Yes.

18 MR. PIROLO: You understand that?

19 JUROR NUMBER 211: Yes, sir.

20 MR. PIROLO: The Judge will never tell you if  
21 you find four aggravating circumstances or six you  
22 have to give the death penalty.

23 JUROR NUMBER 211: Yes.

24 MR. PIROLO: You understand that if you find  
25 aggravating circumstances but no mitigating

1           circumstances, nothing, you're still not required,  
2           never required to return a recommendation for death?

3           JUROR NUMBER 211: Yes, sir.

4           MR. PIROLO: Could you still at that point be  
5           able to consider a life without parole sentence?

6           JUROR NUMBER 211: Yes, sir.

7           MR. PIROLO: I want to go back to something you  
8           touched upon earlier. You said you heard I believe  
9           it was in 2006 in the Philippines where they changed?

10          JUROR NUMBER 211: No, because I never  
11          (unintelligible) and then like what they change our  
12          president, like to me somehow -- to me the way I the  
13          country is going like backwards instead of forward  
14          and then all this too.

15          MR. PIROLO: What they did is they took away  
16          the death penalty, right?

17          JUROR NUMBER 211: Yes, they did.

18          MR. PIROLO: Did you feel that was a bad  
19          change?

20          JUROR NUMBER 211: It's not bad, it's just  
21          not -- people are more disciplined I guess and  
22          (unintelligible).

23          MR. PIROLO: In the Philippines?

24          JUROR NUMBER 211: Yes, in the Philippines,  
25          yes.

1 MR. PIROLO: All right. In this case if you're  
2 selected you're going to see pictures of how Deputy  
3 Pill looked like after she was killed, you're going  
4 to see that and they're very graphic, nothing like,  
5 you know, you see on TV, you see something on TV you  
6 know it's pretend, it's not for real, this will be  
7 very real. How do you think you're going to react to  
8 seeing pictures like that?

9 JUROR NUMBER 211: Good question.

10 MR. PIROLO: Do you think that could affect  
11 your ability to be fair and impartial in the case?

12 JUROR NUMBER 211: Oh, yes, my dad's a surgeon,  
13 I've seen pictures. Of course, it's different.

14 MR. PIROLO: These aren't pictures of a  
15 doctor operating on patients. You know that Deputy  
16 Pill was shot, you're going to see pictures of what a  
17 human being looks like after being shot and they're  
18 very graphic, do you think that seeing pictures like  
19 that --

20 JUROR NUMBER 211: Would affect me?

21 MR. PIROLO: Would affect you in this case and  
22 affect you that you wouldn't be able to follow the  
23 Court's instructions?

24 JUROR NUMBER 211: I don't think so. I don't  
25 think it would affect me position or whatever but

1 emotionally I think it would but I don't know.

2 MR. PIROLO: Would it affect you emotionally to  
3 a way where you would not be able to consider anymore  
4 mitigating circumstances, that once you see those  
5 pictures you're --

6 JUROR NUMBER 211: No, sir, I think it will  
7 just affect me of what I see but I'm  
8 (unintelligible). I don't know how to answer. I  
9 don't know, it's probably -- I don't know how to say.

10 MR. PIROLO: When you say you done think so, is  
11 there a doubt inside you that it may?

12 JUROR NUMBER 211: No, it's just that I cannot  
13 explain to you like what -- but it won't affect me  
14 like with the judging and stuff or whatever you call  
15 that but. I don't know how to stay it. I know  
16 that's different that I seen it (unintelligible).

17 MR. PIROLO: Okay.

18 JUROR NUMBER 211: I don't know how bad it is.

19 MR. PIROLO: Well, if you sit on this jury  
20 you're going to see a videotape, a video and the  
21 video is very graphic as well and maybe even more  
22 graphic because you're seeing how things actually  
23 happened, it shows how Deputy Pill was killed.  
24 You're going see that if you're on this jury.

25 JUROR NUMBER 211: When you say graphic, is it

1 like open stuff like that (unintelligible)?

2 MR. PIROLO: You will see -- going back to the  
3 pictures. You're going to see exactly how a human  
4 body looks after that person's been shot. And then  
5 when you look at the video you're going to see how  
6 the body responds and how the body look as it's being  
7 shot and while it's been shot.

8 JUROR NUMBER 211: You say (unintelligible)?

9 MR. PIROLO: We're talking about a real person,  
10 it's not a make believe and it's going to be played  
11 for you and if you sit on the jury you have to watch  
12 it. How do you feel about that now that you know  
13 there's going to be very graphic pictures and very  
14 graphic video?

15 JUROR NUMBER 211: I don't know what to say  
16 since I haven't seen one yet.

17 MR. PIROLO: I know, but we need -- if you have  
18 any doubt that you think the pictures and the video  
19 are going to affect your ability to be fair and  
20 impartial, we have to know that now because if it  
21 comes up during the trial --

22 JUROR NUMBER 211: I don't think so.

23 MR. PIROLO: How sure are you?

24 JUROR NUMBER 211: More sure than not.

25 MR. PIROLO: Can you give me seventy-five

1 percent sure?

2 JUROR NUMBER 211: I'm more like eighty.

3 MR. PIROLO: Okay. But you can't say, you  
4 know, I'm a hundred percent sure?

5 JUROR NUMBER 211: It's simply because I  
6 haven't seen one to compare it to something.

7 MR. PIROLO: And we can't show it to you now.

8 JUROR NUMBER 211: I know.

9 MR. PIROLO: Would you still be able to  
10 watch -- after seeing that video, still be able to be  
11 open to listening to mitigation or is that twenty  
12 percent doubt or so, is that a chance that you're not  
13 going to be able to consider any mitigation?

14 JUROR NUMBER 211: I don't think so.

15 MR. PIROLO: Can you give me a percentage on  
16 that?

17 JUROR NUMBER 211: I would say the same.

18 MR. PIROLO: About eighty percent?

19 JUROR NUMBER 211: Oh, maybe more, yeah. I  
20 would say more that's the video thing, but as I say,  
21 since I haven't seen anything (unintelligible). So,  
22 I guess I'm okay with it.

23 MR. PIROLO: Some of the mitigating  
24 circumstances you're going to here are that Mr.  
25 Bradley suffered from a mental illness, do you think



1           you can consider that as mitigation? And you  
2           understand what I mean by mitigation?

3                   JUROR NUMBER 211: Yes, sir.

4                   MR. PIROLO: Okay. Mitigation are things that  
5           would lead you to possibly return a life  
6           recommendation.

7                   JUROR NUMBER 211: Yes, sir.

8                   MR. PIROLO: So, if you heard evidence of  
9           mental illness, do you think you could consider that  
10          as mitigating?

11                   JUROR NUMBER 211: Yes, sir.

12                   MR. PIROLO: How about brain damage or brain  
13          injury?

14                   JUROR NUMBER 211: Yes, sir.

15                   MR. PIROLO: And again, this -- things come  
16          from, you know a professional in that area. How  
17          about drug addiction?

18                   JUROR NUMBER 211: Oh, yes.

19                   MR. PIROLO: You think you could listen to drug  
20          addiction and consider it mitigating?

21                   JUROR NUMBER 211: You talking about him under  
22          the influence at that time?

23                   MR. PIROLO: That --

24                   JUROR NUMBER 211: Or --

25                   MR. PIROLO: Right, drug use at the time and

1 drug addiction. You understand drug use and drug  
2 addiction --

3 JUROR NUMBER 211: Yes, sir.

4 MR. PIROLO: -- are two different things?

5 JUROR NUMBER 211: Yes, sir.

6 MR. PIROLO: But if you heard evidence of both,  
7 drug use and drug addiction, would you consider that  
8 as mitigating?

9 JUROR NUMBER 211: Yes, sir.

10 MR. PIROLO: How about physical or emotional  
11 abuse when Bradley was a child?

12 JUROR NUMBER 211: Yes, sir.

13 MR. PIROLO: You'd consider that as well?

14 JUROR NUMBER 211: Yes, sir.

15 MR. PIROLO: All right. Judge, may we  
16 approach?

17 THE COURT: Yes, you may.

18 (Thereupon, a benchside conference was had out  
19 of the hearing of Juror Number 211 as follows:)

20 MR. PIROLO: I think we have a stipulation for  
21 cause.

22 THE COURT: State agrees?

23 MR. BROWN: Yes.

24 MR. PIROLO: I see a concern that she's got  
25 doubt on to whether or not the pictures and the video

1 could affect her from being fair and impartial, among  
2 other things, and also she may not be open to  
3 mitigation once she sees the pictures and/or the  
4 photograph of a videotape.

5 MR. BROWN: Our concern is earlier her physical  
6 reactions to the questions beyond just her answers,  
7 but physically body language and her reactions, I'm  
8 concerned about her ability to go through three  
9 trial. She constantly said (unintelligible), I don't  
10 know.

11 THE COURT: Go through how many weeks of trial?  
12 You say three?

13 MR. BROWN: Three. Probably two but we got the  
14 guilt plus penalty phase.

15 THE COURT: I'm okay if it's three, I was  
16 thinking it was going to be longer.

17 MR. BROWN: I'll say at least three.

18 THE COURT: I'm okay with three.

19 MR. BROWN: And that's my concern is that she  
20 never really gave an answer that by itself is enough  
21 but her physical reactions and answers, that's  
22 (unintelligible) about her ability. So, I stipulate.

23 MR. PIROLO: I agree, her physical answers as  
24 well have been concerning.

25 THE COURT: Okay. If there's an agreement, I

1 don't have any problem. Okay.

2 (Thereupon, the benchside conference was  
3 concluded and the proceedings were had as follows:)

4 THE COURT: Okay. Juror Number 212.

5 JUROR NUMBER 211: Yes, ma'am.

6 THE COURT: We're going to go ahead and release  
7 you from being considered as a juror in this case.

8 JUROR NUMBER 211: Thank you.

9 THE COURT: Okay. What I'm going to ask you to  
10 do is step downstairs, report to the jury assembly  
11 room, they'll give you brief information, they'll  
12 send you on your way. I want to thank you for being  
13 here and thank you for being part of the process.

14 JUROR NUMBER 211: Thank you ma'am.

15 THE COURT: Thank you.

16 (Thereupon, Juror Number 211 exited the  
17 courtroom.)

18 MR. MCMASTER: Judge, that was 211, not 212.

19 THE COURT: Oh, did I say?

20 MR. MCMASTER: 212.

21 THE COURT: I'm sorry. It's 211 for the  
22 record. Juror -- okay. Juror Number 211 is released  
23 for cause. Okay. Then this chart would be  
24 appropriate. You want to go ahead and copy it for  
25 them? We have a chart of the seating arrangements

1 for tomorrow. I think they want five. Don't you  
2 want five?

3 MR. MOORE: Five what?

4 THE COURT: Five copies of the chart.

5 MR. MOORE: Yes.

6 THE COURT: So, two for the State, five for the  
7 Defense and one for me. Okay. Tomorrow when we do  
8 this, I talked about -- there will be twenty-one in  
9 the box. I forget how many goes over here. Ten,  
10 ten, sixteen over here. Is that -- no, twenty --  
11 what's that? Five, five. Sixteen over here and then  
12 whatever is left over here. They're missing three.  
13 You'll have the chart so you'll be able to see it,  
14 but you can't really have your back to me, you can't  
15 really have your back to them. So, when you all  
16 question them what I thought of is maybe angling this  
17 podium like this. That way you can see them, them  
18 and them. And you'll question them when you do your  
19 individual questions with the podium angled like  
20 that. If you want to go ahead and do it so they can  
21 see it. I have to be -- that's okay with me but I  
22 have to be -- if the State's sitting there, I have to  
23 be able to see the Defense. So, maybe -- and then  
24 when the Defense is sitting -- well, I don't really  
25 have a problem seeing the State. Does that -- is

1 that acceptable to you all?

2 MR. MOORE: Or we could pull it over a little  
3 bit more.

4 THE COURT DEPUTY: Towards Mr. Moore?

5 THE COURT: He's saying take it away from -- do  
6 it the other way.

7 MR. MOORE: Right, right so the Judge can watch  
8 my hands.

9 THE COURT: Actually, I don't need it that much  
10 because now you're going to be blocking the State.  
11 Much just do it -- actually, do it right down the  
12 middle.

13 MR. BROWN: There you go.

14 MR. MOORE: That's fine.

15 MR. BROWN: That works.

16 THE COURT: Okay. Is everyone okay with that?  
17 You're a little angled to them. The other thing you  
18 can do is move it way over here.

19 MR. MOORE: That's fine with me right there.  
20 You got sort of an angle.

21 THE COURT: As long as you all are comfortable  
22 with that. I'm going to do my part in the beginning.  
23 Hopefully I'll cover a lot in the beginning. Then  
24 I'll ask you if there's any challenges for cause  
25 after that and then we'll have -- the State will go

1 and the Defense will go. I'm going to give you --  
2 you know, I'm hoping to get through the State by  
3 Friday, have the Defense go Monday. I assume that's  
4 going to -- I mean, I really don't know, but I'm  
5 assuming that may take all day, especially with that  
6 many jurors. If the State gets done early the  
7 Defense needs to be kind of ready to go, but if it's  
8 3:00 -- if it's 4:00 o'clock on Friday, I'm not going  
9 to make the State go. I mean the Defense go, just so  
10 you know, but if it's 2:30 I probably will. I want,  
11 with all due respect, get done at 5:00 on Friday. I  
12 have --

13 MR. MCMASTER: (Unintelligible) question that.

14 THE COURT: I have to be somewhere at 5:30 so  
15 that should make you happy.

16 MR. MOORE: Happy hour.

17 THE COURT: So, I want to get done at 5:00 on  
18 Friday. If we do that -- I did see -- I did kind of  
19 look over the motion in limine number three. That's  
20 what it's in reference to Mr. McMaster?

21 MR. MCMASTER: Yes, Your Honor.

22 THE COURT: You said you have four witnesses?

23 MR. MCMASTER: That's correct.

24 THE COURT: Are you -- can I ask you this and  
25 tell me if you're not prepared because now I'm

1 switching gears on you. Tell me if you're not  
2 prepared to do this. In paragraph 2 it talked about  
3 reserving ruling due to relevance, that had to do  
4 with Amanda Paige Ozburn. Would she be one of the  
5 witnesses?

6 MR. MCMASTER: She is.

7 THE COURT: Is there any other witnesses  
8 related to that paragraph?

9 MR. MCMASTER: No.

10 THE COURT: Okay. Then there's paragraph  
11 number 4 of the Court's ruling which is related to  
12 paragraph --

13 MR. MCMASTER: Number 11.

14 THE COURT: 4 and 11. I reserved -- who would  
15 be testifying for that?

16 MR. MCMASTER: Andria Kerschner and Jeffrey  
17 Dieguez.

18 THE COURT: Okay. And then I think there's one  
19 more if I'm correct.

20 MR. MCMASTER: That's correct, paragraph 8.

21 THE COURT: Paragraph 8. And who would be  
22 testifying for that?

23 MR. MCMASTER: Robert Marks. Both Mr. Marks  
24 and Miss Kirschner are in custody. We had Mr. Marks  
25 transported down. Miss Kirschner's been held I



1 believe still at the Orange County facility. We'll  
2 have those inmates brought over. I'll make  
3 arrangements for Mr. Dieguez and Miss Ozburn.

4 THE COURT: Okay. I did briefly review those  
5 motions. I can do it -- I think it would be  
6 appropriate to do it prior -- if the State wants to  
7 use this information in opening, I would have to do  
8 the proffer prior to the start of the trial. I mean,  
9 I read what it was -- now that I can relate back as  
10 to what it was in reference to, you know, I can do  
11 that. You said it will take an hour and a half?

12 MR. MCMASTER: That would be my best estimate.  
13 Like I said to you, the testimony that they listed in  
14 the motion was relatively limited. So, I would  
15 basically just be going over their testimony on those  
16 points.

17 THE COURT: Two of it had to do with relevance  
18 and one had to do with hearsay as to why I didn't  
19 grant it. I think the State -- the Defense would be  
20 entitled to some cross examination. So, do we think  
21 an hour and a half is a good estimate?

22 MR. MOORE: Like many of the people we've  
23 interviewed, I don't have feelings one way or the  
24 other. No, seriously, I think an hour and a half  
25 should be enough.

1 THE COURT: And I just want you to know I did  
2 notice Miss Kirschner's eyebrows at that time. So, I  
3 understand what she was saying. Women would notice  
4 that, they were different. (Unintelligible) but  
5 they're different. She did have distinct eyebrows at  
6 the time. So, I understand why she noticed that.

7 So -- okay. So, before when we conclude with  
8 the jury selection process and we started talking  
9 about when to do opening statements, I want to make  
10 sure -- I'm going to put this on my desk. I normally  
11 don't forget but I want to make sure that we bank in  
12 the hour and a half before the opening statements so  
13 that we can address this. Okay. I'm going to leave  
14 it up here. I don't think I'll forget but don't let  
15 me forget.

16 MR. LANNING: Judge, did you say you have to  
17 get out of here by 5:00 tomorrow?

18 THE COURT: I would like to be out of here by  
19 5:00 tomorrow.

20 MR. LANNING: Okay. All right.

21 THE COURT: Did you have a concern about that?

22 MR. LANNING: Well -- okay. We would -- we  
23 would want some time our consultant between general  
24 and picking.

25 THE COURT: Okay. I mean, I would agree that

1 would be appropriate.

2 MR. LANNING: And I'm just thinking okay. I  
3 have no idea how long the State will go, nor I.

4 THE COURT: No, I don't really either to tell  
5 you the truth.

6 MR. LANNING: But, you know.

7 THE COURT: I'll take that -- I mean, how much  
8 time do you think you'll need?

9 MR. MOORE: Maybe a couple of hours I think. I  
10 mean we have four of us.

11 THE COURT: Well, it may be that if we got done  
12 early on Tuesday, you know, you could do it Tuesday  
13 afternoon and then we could come back, have the  
14 jurors come back Wednesday morning, select the  
15 jurors, let them break for lunch. Let them break and  
16 come back right after lunch, we could do these  
17 motions. And this is just --

18 MR. LANNING: I'm just thinking in, case you  
19 know, in case we got mid to late afternoon tomorrow  
20 and we have finished the general that we would want,  
21 you know, we don't want to be in a crunch.

22 THE COURT: No, I'm not going to put you -- I  
23 mean, I understand this process is serious. I mean,  
24 I'm going to give you time to consult with your jury  
25 consultant.

1 MR. LANNING: All right.

2 MR. BROWN: Did you mean, which I thought you  
3 meant, Tuesday? Since I go Friday, they might start  
4 a little Friday, fifteen up Monday.

5 THE COURT: Yeah, I think I was a day off.

6 MR. BROWN: Bring them back Tuesday morning for  
7 selection.

8 THE COURT: Yes, I think I was a day off. Yes,  
9 you're correct, I was a day off. Let them go Monday,  
10 finish. They'll get done sometime on Monday, they'll  
11 have time Monday afternoon, come back Tuesday morning  
12 and then do the jury, announce who the people are and  
13 then go into these motions and maybe start opening  
14 statements Tuesday afternoon. I mean, that's kind of  
15 a --

16 MR. MCMASTER: Depending on what the schedule  
17 is on Monday, if we have time Monday afternoon we  
18 might be able to do the witnesses proffer at that  
19 time.

20 THE COURT: Okay. We'll see how you all do  
21 tomorrow. To tell you the truth, I'm more concerned  
22 about how long they're going to take than you all are  
23 going to take, but I don't know, you both may take  
24 long. I don't know.

25 MR. MOORE: As far as consulting with

1 Dr. Butler, it probably be best to do that.

2 THE COURT: Well, you know, Tuesday, but I was  
3 a day off. We're probably going to get done Monday.  
4 The State will go tomorrow, you'll go -- I was a day  
5 off. You'll go Monday and all day Monday.

6 MR. MOORE: Well --

7 THE COURT: You'll probably get done early  
8 Monday afternoon I would think.

9 MR. MOORE: Okay. Tuesday morning then.

10 THE COURT: Well, let's talk about that when we  
11 see how far you go. I mean, I'm going to give you  
12 that consideration but.

13 MR. MOORE: She has to be in Jacksonville  
14 Monday night.

15 THE COURT: Oh, she has to be in Jacksonville  
16 Monday night.

17 MS. BUTLER: No, I'm not, I just have to meet  
18 an attorney in Jacksonville.

19 THE COURT: What time do you have to leave here  
20 to get there?

21 MS. BUTLER: It's what, about two hours?

22 THE COURT: I would say two and a half.

23 MS. BUTLER: Two and a half hour drive. And  
24 I'm not exactly sure what time I'm meeting him but.

25 THE COURT: Okay. We'll see. I mean, I'll --

1 if we need to, I'll accommodate that schedule, but  
2 she needs to tell me what time she's meeting so I can  
3 figure that out. So, she should know that by Monday.

4 MS. BUTLER: I should know that by Monday.

5 THE COURT: The other thing is I want to talk  
6 to you about where the jurors will sit. There's --  
7 we don't use the roller chair. There's eleven and  
8 then -- but that would mean -- I mean, there's  
9 twelve.

10 THE COURT DEPUTY: We use that chair.

11 THE COURT: What?

12 THE COURT DEPUTY: We normally use that chair.

13 THE COURT: No, I mean -- I'm talking --  
14 tomorrow we're going to use that chair, I'm talking  
15 about when we have a jury. We have fifteen. So,  
16 it's eight, seven. No, it's one, two, three, four,  
17 five, six, seven. It's seven and six. So, that's  
18 thirteen without using that chair because normally  
19 the deputy sits in that chair over there and so that  
20 would be thirteen, fourteen, fifteen, two in the  
21 front and I wanted to make sure you all were aware  
22 that would mean two in the front. Or we can do  
23 twelve and twelve and three on the front. Do you  
24 have a preference?

25 MR. BROWN: We do not. However the Court and

1 the court deputies want it.

2 THE COURT: I just wanted to put more on the  
3 front than less in the front. So, I was thinking  
4 just so they weren't by themselves.

5 THE COURT DEPUTY: What about five, five and  
6 five.

7 THE COURT: You can do -- we could do five,  
8 five and five.

9 MR. MOORE: Just be uniform.

10 THE COURT: With people in the front here, is  
11 that going to be -- I mean, they're going to testify  
12 here.

13 MR. BROWN: Judge, I guess my only concern is  
14 if we get them too close here, obviously we're not  
15 going to be whispering loudly but I don't want them  
16 too close to where they may hear our whispers.

17 THE COURT: Well, you could do the first five  
18 and then that would leave those two, but you tell me  
19 what you think, or we could do --

20 MR. BROWN: How about four in the front, the  
21 first four and then --

22 THE COURT: Four?

23 MR. BROWN: Six, five and four and that way  
24 they're not too close to our table.

25 THE COURT: Let's do this. Let's do six, five

1 and four and do the closest here. Six starting  
2 one -- starting here, five starting there, four  
3 starting here, but they're going to be the closest.  
4 Do you think that's too close though? See, that  
5 chair right there?

6 THE COURT DEPUTY: I think the first chair is  
7 too close.

8 THE COURT: So, get rid of the first -- not  
9 that chair, that chair. So, say you get rid of that  
10 chair.

11 THE COURT DEPUTY: And it will be one, two,  
12 three, four.

13 THE COURT: Well, in fairness, I don't think  
14 they care about that row, the second row, do you?

15 MR. BROWN: No.

16 THE COURT: So, you can do four, five starting  
17 the second chair, and six start in the second chair.

18 THE COURT DEPUTY: Four, five, six.

19 THE COURT: Mr. Moore?

20 MR. MOORE: Ma'am?

21 THE COURT: See that chair right there, do four  
22 in that chair starting there. If we could show them.  
23 No, four starting here.

24 MR. MOORE: Okay.

25 THE COURT: Five there.



1 MR. MOORE: Okay.

2 THE COURT: And six starting second chair. Six  
3 starting there.

4 MR. MOORE: That's fine.

5 THE COURT: I just wanted everyone to  
6 understand that. That's where they'll be seated.  
7 Okay. Okay. Do we have those charts?

8 THE CLERK: Yes, ma'am.

9 THE COURT: Okay. Do they have the charts?  
10 They have them?

11 THE CLERK: Yes.

12 THE COURT: Okay. Is there any other matters  
13 that we need to discuss before we recess?

14 MR. MOORE: No, ma'am.

15 THE COURT: Okay. Court will be in recess  
16 until 8:30 tomorrow morning.

17 (Thereupon, court was in recess for the day  
18 3/13/14. Thereafter, court was reconvened on 3/14/14 and  
19 the proceedings were had as follows:)

20 THE COURT: Please be seated. Okay we can  
21 bring in Mr. Bradley.

22 (Thereupon, the defendant was escorted into the  
23 courtroom by the court deputy.)

24 THE COURT: Okay. For scheduling purposes, I  
25 just want to make you aware that I have a court

1 proceeding that I need to do from 1:00 to 1:30.  
2 Hopefully it will get done at 1:30. So, we'll have  
3 to work around that. I think we're waiting on a few  
4 jurors. Any preliminary matters that we need to  
5 discuss on behalf of the State?

6 MR. BROWN: No, Your Honor.

7 THE COURT: Any preliminary matters on behalf  
8 of the Defense?

9 MR. MOORE: May we have a moment?

10 THE COURT: Okay.

11 (Thereupon, a pause was taken in the  
12 proceedings.)

13 (Thereupon, a benchside conference was had out  
14 of the hearing of the audience as follows:)

15 THE COURT DEPUTY: Judge, we have half of them  
16 coming up now. 126 has not shown up.

17 THE COURT: Okay.

18 THE COURT DEPUTY: And then apparently there's  
19 an issue with 171 that you're going to have to  
20 address. I don't know what it is yet.

21 THE COURT: I'm not addressing any issues. I'm  
22 starting my stuff. Don't let them think they're  
23 going to have a forum with me.

24 THE COURT DEPUTY: No, I'm just hearing Dave on  
25 the radio saying that there is some issue.

1 THE COURT: No, this is serious, they need to  
2 be ready and ready to work. Who hasn't shown up yet?

3 THE COURT DEPUTY: 126.

4 THE COURT: I don't think 195's here either.  
5 No, I know 195 is not here so you don't need to.

6 THE COURT DEPUTY: 171.

7 THE COURT: Don't make them think they're  
8 having a forum with me.

9 THE COURT DEPUTY: They're approaching him.

10 THE COURT: I already someone that I was going  
11 to hold them in contempt if they didn't come here.  
12 So, they better come here. I'm serious.

13 (Thereupon, the benchside conference was  
14 concluded and the proceedings were had as follows:)

15 MR. MOORE: We don't have any matters.

16 THE COURT: Okay. They're bringing up half  
17 now. We're missing a few.

18 (Thereupon, a pause was taken in the  
19 proceedings.)

20 MR. MOORE: Judge?

21 THE COURT: Yes.

22 MR. MOORE: We're going to be situating  
23 ourselves in a way where we can best see everybody.

24 THE COURT: Okay. You can do that.

25 MR. MOORE: We're going to be all over the

1 place at this table.

2 THE COURT: That would be fine.

3 (Thereupon, a pause was taken in the  
4 proceedings.)

5 THE COURT: Okay. All jurors are present  
6 except for 195. 195 called in and said that she is  
7 sick today, has a cold, sinus problem and is sick at  
8 her stomach. I told the jury clerks to tell her she  
9 either needs to report in or have me a doctor's  
10 excuse by the end of the day or that she may be  
11 subject to the contempt -- may be subject to contempt  
12 for failing to appear. That information was conveyed  
13 and apparently she says she will get us a doctor's  
14 excuse by the end of the day. So, I'm assuming that  
15 195 is not going to be here. Now, I'm going to mark  
16 her off but I haven't released her for cause yet.  
17 I'm not releasing her until I see a doctor's excuse.

18 MR. MOORE: We could agree to release her.

19 THE COURT: I'm not releasing her for cause  
20 until I see a doctor's excuse, with all due respect.  
21 This is -- you know, at this -- it's beyond you at  
22 this point so. I need her to be here. I need  
23 everyone to be here and take this seriously. I mean,  
24 I suspect I'm going to get a doctor's excuse but. Is  
25 everyone up?

1 THE COURT DEPUTY: There are two issues I need  
2 to address with you.

3 (Thereupon, a benchside conference was had out  
4 of the hearing of the audience as follows:)

5 THE COURT DEPUTY: Juror Number 171, she  
6 approached me this morning and she says she feels now  
7 there's been -- there's going to be a financial  
8 hardship for her to stay.

9 THE COURT: I'm not addressing it.

10 THE COURT DEPUTY: Okay. And then 195,  
11 apparently they have not come in because they're  
12 sick.

13 THE COURT: Did you hear me? I just -- I  
14 announced 195.

15 THE COURT DEPUTY: I'm sorry?

16 THE COURT: I just gave an announcement about  
17 195.

18 THE COURT DEPUTY: Okay. That's it.

19 THE COURT: 195 is not here.

20 THE COURT DEPUTY: That's it.

21 (Thereupon, the benchside conference was  
22 concluded and the proceedings were had as follows:)

23 THE COURT: Okay. Looks like we're ready. We  
24 will bring them in.

25 (Thereupon, the prospective jury panel was

1 escorted into the courtroom by the court deputy and the  
2 proceedings were previously transcribed.)

3 THE COURT: Now, at this time I do want to have  
4 a bench conference with the attorneys.

5 (Thereupon, a benchside conference was had out  
6 of the hearing of the prospective jury panel as follows:)

7 THE COURT: I don't know if you want to try to  
8 address any for hardship at this time or if you want  
9 to wait. I'm about to conclude my part and then the  
10 State would go. I have one more paragraph just so  
11 you know.

12 MR. MOORE: I think it's premature. I mean,  
13 some have indicated hardships without indicating  
14 whether it would infer with their ability to focus or  
15 concentrate. So, I think it would be premature at  
16 this point.

17 THE COURT: Okay.

18 MR. BROWN: Some are questionable but.

19 THE COURT: The only one I'm sympathetic for is  
20 out of the country to Bali on April 3rd. That's just  
21 because -- John Hardy factor. I mean, I don't know.

22 MR. BROWN: There's that number as well.

23 THE COURT: You know what, I'm inclined to make  
24 them stay. They should have told us some of this  
25 stuff previously.

1 MR. BROWN: Some of this apparently  
2 (unintelligible).

3 THE COURT: Well, I would agree, but if you  
4 want to -- I mean, maybe the auto accident back  
5 problems, that might be -- that happened in between.  
6 The son with the broken arm.

7 MR. MOORE: 89, I think she can work that out  
8 though with a parent conference, that came up.

9 THE COURT: No, the parent/teacher conference,  
10 give me a break, I have to rush over there at  
11 noontime and do mine, so, you know. I think they'd  
12 be sympathetic.

13 MR. MOORE: The arm with the pain.

14 THE COURT: You want to go one by one and see  
15 if that's something we want to address?

16 MR. MOORE: Let me grab my notes, I don't have  
17 all of them up here.

18 THE COURT: Okay.

19 MR. LANNING: I don't know about the PTSD guy,  
20 he should have talked with us. I don't know if you  
21 want to do it in a big group.

22 THE COURT: You want to put yours up here?  
23 I'll move this thing. Or are you okay?

24 MR. MOORE: No, I'm okay.

25 THE COURT: Okay. Number 2, the woman with the

1 broken arm. I mean the son with the broken arm. Six  
2 year old, says she's a single parent.

3 MR. MOORE: I think that's valid.

4 THE COURT: Everyone agree with that?

5 MR. BROWN: Yes.

6 THE COURT: So, Number 2 will be struck for  
7 cause. Okay. The only other -- the 58, and I'm just  
8 telling you who I think, 58 may be a consideration.  
9 With all due respect, I'm probably not going to  
10 excuse the rest unless you question them and I hear  
11 more, but Number 58?

12 MR. BROWN: Actually that's --

13 THE COURT: Oh, I didn't read it.

14 MR. MOORE: We would stipulate.

15 THE COURT: Okay. Yeah, it's a valid injury.  
16 I mean, it's a valid. So, Number 58 will be struck  
17 for cause. I mean, do you want to address the  
18 wedding?

19 MR. PIROLO: They said the week before.

20 THE COURT: So, you're okay with 113 or you  
21 want to question him.

22 MR. MOORE: No, we're okay.

23 THE COURT: State?

24 MR. BROWN: Yeah, I agree.

25 THE COURT: Okay. 113 will be struck for



1           cause.

2           MR. MCMASTER: 149, the travel issue.

3           THE COURT: 149. That's the trip to Bali.

4           MR. PIROLO: Ask her if she can cancel.

5           THE COURT: She's not going there shopping,  
6 she's meeting her relative. I would go shopping.

7           MR. LANNING: Korea's not that far away.

8           THE COURT: So, 149, do we agree?

9           MR. MOORE: Yes.

10          THE COURT: 149 will be struck for cause.

11          MR. LANNING: Trade 149 for 183.

12          THE COURT: To tell you the truth, I'm not -- I  
13 thought about some of those but I'm not allowed to  
14 say those things. That's the only ones I'm inclined  
15 to strike at this time.

16          MR. BROWN: The only ones I had marked.

17          THE COURT: I had some others marked but.

18          MR. BROWN: 164 and 171.

19          THE COURT: I mean, I have them marked but.

20          MR. LANNING: We can talk with them more.

21          THE COURT: If you'll talk with them more, I'd  
22 appreciate that.

23          MR. BROWN: (Unintelligible) she was originally  
24 told she would, now they changed it and she's not.

25          MR. LANNING: Really? I'd like to know if 149,

1 if there's any chance that that could be -- if it  
2 were a week or two later, whether it could still work  
3 for her.

4 THE COURT: I don't know, normally plane  
5 flights no matter what.

6 MR. LANNING: Yeah, but she brought up -- I  
7 think -- my memory is she brought up the possibility  
8 of the trip but there was no confirm. Maybe I'm  
9 wrong.

10 THE COURT: You know what, I'll be happy to not  
11 strike her and you question her. I'll be happy to do  
12 that.

13 MR. LANNING: I mean --

14 THE COURT: Okay.

15 MR. LANNING: -- at worst she's here a few  
16 hours or whatever.

17 THE COURT: If you want to question her. And  
18 the rest I want you to question them, I'm not just  
19 going to strike them. All right. So, I'll do 2, 58  
20 and 113. 149 we're going to let them have an  
21 opportunity to question her.

22 MR. BROWN: Then there was --

23 THE COURT: There's some others I marked but  
24 I'm not doing it. 164. I don't -- oh, 164 and 171,  
25 you're going to have to question them. Okay.

1 (Thereupon, the benchside conference was  
2 concluded and the proceedings were had as follows:)

3 (Thereupon, the proceedings were previously  
4 transcribed.)

5 MR. BROWN: Juror Number 4, same questions to  
6 you, sir.

7 JUROR NUMBER FOUR: Typically my day consists  
8 of work. I'm dedicated to my job and to the employer  
9 that I work for. It's a full day ten hour a day job.  
10 In the evenings I typically go home and relax. I  
11 don't watch much television, I listen to the radio  
12 mostly. My weekends involve church and the church  
13 activities and that's pretty much that, as far as  
14 that. I believe I'm an honest and faithful dedicated  
15 person.

16 THE COURT: Thank you. Number 5.

17 (Thereupon, the proceedings were previously  
18 transcribed.)

19 MR. BROWN: Juror Number 9.

20 JUROR NUMBER 9: I work full time and when I  
21 come home every day I do a little bit of work on my  
22 part time job as a professor. TV at night. I take  
23 guitar lessons and I spend time on that every day.  
24 As far as the type of person, I'm an introvert and  
25 I'm curious about a lot of things and, you know, I'm

1 an honest person and that's it.

2 MR. BROWN: What do you teach at the school?

3 JUROR NUMBER 9: I teach Humanities.

4 MR. BROWN: Thank you. Number 11.

5 JUROR NUMBER 11: Spend most of my time right  
6 now trying to build a house in Virginia. So, I'm up  
7 there quite a bit. Also, I have an aging mother  
8 in-law-up there so my wife and I go there and help  
9 her out as much as I can. Read quite a bit, don't  
10 watch very much TV. And as far as personality, I'm  
11 just and honest, take responsibility type of person.

12 MR. BROWN: Thank you. Number 13.

13 JUROR NUMBER 13: Well, I do ten hour days four  
14 days a week. I'm off Thursday, Friday, Saturday.  
15 Most of that time spending time with my new wife of  
16 two years, play with my dog. We work around the  
17 house and stuff like that. Watch her kids. Other  
18 than that as far as my personality, easiest way to  
19 explain it, if you don't want my opinion, don't ask.

20 MR. BROWN: As we go I'll be asking your  
21 opinion on some things. Number 14, sir, how are you?

22 JUROR NUMBER FOURTEEN: Usually my day's like  
23 start out with honey dos. If I'm not doing that, I  
24 work in my yard. If I'm not doing that I'm  
25 travelling (unintelligible) and cruising. Pretty

1 much I watch television. I hate commercials so I  
2 watch Net Flix, movies and stuff of that nature. I'm  
3 kind of a -- I just like to be myself watching my  
4 television programs, movies.

5 MR. BROWN: What did you retire from, what line  
6 of work?

7 JUROR NUMBER FOURTEEN: I retired from the  
8 Space Center.

9 MR. LANNING: I'm sorry, sir, retired from  
10 what?

11 JUROR NUMBER FOURTEEN: Space Center.

12 MR. BROWN: And what did you do out there?

13 JUROR NUMBER FOURTEEN: I was a [REDACTED]  
14 [REDACTED] for the shuttle.

15 MR. BROWN: Number 16, good morning.

16 JUROR NUMBER 16: I work during the day and in  
17 the evenings I spend time with family. I play in a  
18 rock bands so I'm usually working on new tunes or  
19 practicing with the band. Weekends I do outdoor  
20 stuff, boating, surfing, whatever is available.  
21 Personality wise, I'm a balanced person.

22 MR. LANNING: What was that?

23 JUROR NUMBER 16: Balanced.

24 MR. BROWN: Thank you. Number 17.

25 JUROR NUMBER 17: I'm retired, single so I'm by

1 myself. I have a lot of neighbors that are part time  
2 residents. One travels three weeks out of the month,  
3 one's in Afghanistan. Another one (unintelligible)  
4 lives in Nebraska, I kind of take care of the house  
5 and pool. Look after that. Generally stay busy.  
6 Spend most weekends in Orlando where my girlfriend  
7 is. (Unintelligible) get up, don't know what I want  
8 to do, don't know what I did all day but I'm busy all  
9 day. As far as personality I'm kind of -- I think  
10 I'm quite, reserved, like most people I get more  
11 conservative I guess.

12 MR. BROWN: And what kind of work did you  
13 retire from?

14 JUROR NUMBER 17: AT&T. I was a service  
15 technician.

16 MR. BROWN: Thank you. Number 29.

17 JUROR NUMBER 29: I'm a hard working  
18 individual, I've been working since I was fourteen,  
19 still working for another two and a half years so I  
20 can afford to retire. I enjoy things. Married. Off  
21 work time I spend with my wife doing puzzle or  
22 (unintelligible). That's about it.

23 MR. BROWN: How about your personality?

24 JUROR NUMBER 29: I thought that was my  
25 personality?

1 MR. BROWN: Okay.

2 JUROR NUMBER 29: I'm open minded, caring  
3 father, good husband.

4 MR. BROWN: Number 36. I think that's you,  
5 right?

6 JUROR NUMBER 36: I'm very dedicated to my job.  
7 I got a job that I basically work 24/7. I actually  
8 work for ground call (unintelligible). Also spend a  
9 lot of time at work. I have a wife, we're raising a  
10 grandchild, spend time with them (unintelligible).

11 MR. LANNING: Sir, can't hear.

12 JUROR NUMBER 36: Actually advertise.

13 MR. LANNING: Sound doesn't carry real well,  
14 keep your voices up.

15 JUROR NUMBER 36: Yes.

16 MR. LANNING: Like that. Like that.

17 JUROR NUMBER 36: I have a job that I'm  
18 basically on call 24/7. I actually put twelve hours a  
19 day at work. My off time I spend with my wife and my  
20 grandson who we're raising, bike rides, take him  
21 fishing once in a while, go out to dinner with the  
22 family and friends. We have family over in Tampa, we  
23 go over there once a month, twice a month sometimes,  
24 see the grandchild over there. Personality, I'm  
25 reserved, quiet, enjoy life.

1 MR. BROWN: Thank you. Number 42.

2 JUROR NUMBER 42: I work just like anybody  
3 else. I spend most of my time after work playing  
4 softball and hanging out with my friends on the  
5 weekends as far as my softball friends. I got a two  
6 month old, she's almost three months old now, so I  
7 spend a lot of my time with my family and try  
8 (unintelligible) make sure that they're well taken  
9 care of before I ever will be. I'm honest and caring  
10 for others more than I am myself. So, I take care of  
11 everybody else more than I do myself.

12 MR. BROWN: Okay. Number 63, good morning.

13 JUROR NUMBER 63: Let's see. Fortunately I  
14 have not had to work for the last year so I stay at  
15 home and my daily routine starts with coffee in the  
16 carport first. As the day progresses I cook, I  
17 clean, I bake. I talk to my daughter daily. Between  
18 my husband and I we have six grandchildren so we're  
19 very active with them, try to see one group of three  
20 on one weekend, the other three on the other weekend.  
21 As far as my personality, I can be head strong but I  
22 am very caring and compassionate.

23 MR. BROWN: And what type of work did you  
24 previously do?

25 JUROR NUMBER 63: I was a security officer at



1 Port Canaveral.

2 MR. BROWN: Thank you. Number 65.

3 (Thereupon, the proceedings were previously  
4 transcribed.)

5 MR. BROWN: Number 82.

6 JUROR NUMBER 82: I just recently retired from  
7 working (unintelligible) the past forty years. I  
8 have -- I'm taking care of my significant other who's  
9 handicapped. (Unintelligible) volunteer with Kiwanis  
10 and I'm working with the bank (unintelligible). I'm  
11 quiet, strong, but I like people.

12 MR. MOORE: Your Honor.

13 THE COURT: Yeah, they're having a hard time  
14 hearing you. So, if you could speak up. Speak  
15 slower.

16 JUROR NUMBER 82: Okay. I just recently  
17 retired forty years working with the mentally  
18 challenged and I'm in charge of three what we call  
19 action clubs in the county that are connected with  
20 Kiwanis that are mentally challenged. So, I have  
21 three groups and we're doing (unintelligible)  
22 tomorrow. I take care of my significant other. I  
23 have a dog and cat and I walk the dog every day  
24 (unintelligible) community. (Unintelligible). My  
25 past is reading my books. I'm a quiet person and

1           unfortunately I do not speak loud. I don't like  
2           being with people (unintelligible).

3           MR. BROWN: Thank you. Number 85.

4           JUROR NUMBER 85: I'm retired and most of the  
5           time I spend my time in my garage, you know, working  
6           on whatever (unintelligible) and do whatever my wife  
7           tells me to do. On the weekends we like to go riding  
8           on the bike and take trips and spend most of my time  
9           with my son if possible. My personality is, you  
10          know, I'm kind of quiet. I try to treat people the  
11          way I like to be treated and I think I'm pretty  
12          honest (unintelligible).

13          MR. BROWN: And what line of work did you  
14          retire from?

15          JUROR NUMBER 85: I was a project manager  
16          (unintelligible).

17          MR. LANNING: For what type of company?

18          JUROR NUMBER 85: Pardon?

19          MR. LANNING: Project manager for what type of  
20          company?

21          JUROR NUMBER 85: Air conditioning company.

22          MR. BROWN: Number 87.

23                 (Thereupon, the proceedings were previously  
24          transcribe.)

25          MR. BROWN: Thank you. Number 88.

1 THE COURT: You know, it might help. I'm going  
2 to have everyone stand up when they talk. So, let's  
3 do that. Sorry, you're the first one but they're  
4 having trouble hearing.

5 JUROR NUMBER 88: I work from home, I work with  
6 my husband who has his own company, he runs a  
7 consulting company and I do his books an admin work  
8 from home. We're busy. We work probably -- most of  
9 the time on weekends we do take off, we do a lot of  
10 travelling. I have three children and three step  
11 children, they're all adults now and I keep in touch  
12 with them. We do a lot travelling that way.  
13 Personality wise, I think I'm very honest. Like him,  
14 if you ask me a question I'll give you a straight  
15 answer. And I consider myself a gray area person  
16 like middle of the road as far as politics are  
17 concerned. I don't see much in the way of black and  
18 white in my life. I am an introvert but not  
19 antisocial. I like to read and I am working on a  
20 fiction novel now.

21 MR. BROWN: Number 89.

22 JUROR NUMBER 89: I'm a divorced single mom, I  
23 work part time at night. My days are mostly spent  
24 taking care of my house and my four kids and at least  
25 once a week I'm running back and forth taking care of

1 my daughter (unintelligible). So, I'm spending a lot  
2 of time with them (unintelligible) take extra  
3 medication (unintelligible) issues and running  
4 errands mostly watching (unintelligible). I think of  
5 myself as being out going sometimes, sometimes I'm  
6 (unintelligible) but I'm very open minded.

7 MR. BROWN: Thank you. Number 93. Good  
8 morning, sir.

9 JUROR NUMBER 93: Good morning.

10 MR. BROWN: Same questions to you.

11 JUROR NUMBER 93: I consider myself middle of  
12 the road. I'm retired. I have friends from, you  
13 know, my previous business and all and a lot of my  
14 friends I have to say have passed on and I'm  
15 introverted, I don't go out of my way to meet, you  
16 know, new people. I'm still a little bit active in  
17 my business but ninety percent I'm retired from it.  
18 My day usually begins with crap and the lotto. So,  
19 you know, if I were to serve on the jury, of course,  
20 I would have to, you know, readjust my, you know,  
21 body clock, but I consider myself a good citizen.  
22 You know, I'm basically retired now.

23 MR. BROWN: What line six work, what was your  
24 business?

25 JUROR NUMBER 93: Well, I did a lot of things.

1 First of all I was, you have to excuse me, my voice  
2 sometimes comes and goes, but I retired from the Air  
3 Force and after that I owned a furniture business  
4 and -- which I closed, retired from, and then I still  
5 own a car dealership but I'm mostly retired from that  
6 and that's about it. I like to read a great deal. I  
7 like to follow what's going on in the finance world  
8 and politics as well.

9 MR. BROWN: Thank you, sir. Number 102.

10 (Thereupon, the proceedings were previously  
11 transcribed.)

12 MR. BROWN: Thank you. Number 105.

13 JUROR NUMBER 105: I work about 7:00 to 3:30  
14 sometimes but basically 9:00 to 5:00 at the Space  
15 Center. Schooling in engineering, got a job as a  
16 system engineer, take care of launch pads and they  
17 call and ask orders, do a lot of heavy equipment type  
18 stuff, cranes, work with scaffolding things. Always  
19 try (intelligible) but work always has something to  
20 do. My wife has too much down time and I carry that  
21 over to my house which is still an active  
22 construction zone, has been for a few years. I'm  
23 always trying to do something either in the lawn,  
24 landscape, inside. I like to think of myself as a  
25 dependable person, honest, fair, loyalties to my

1 family, my friends. Slightly reserved but fairly  
2 extroverted. So, middle of the park, politically  
3 middle of the park personality and that's about it.

4 MR. BROWN: Thank you, sir. Number 106.

5 JUROR NUMBER 106: I just about four months ago  
6 retired from Brevard County and I pretty much take  
7 care of the house, do volunteer work. I cook for a  
8 shelter once a month. I'm still an alumni in a  
9 sorority that my daughter got me involved and I  
10 volunteer between the secretarial position.

11 Basically take care of the house and when my husband  
12 gets home usually try to take a walk and try to relax  
13 and watch some TV and get as much shut eye as I can.  
14 Sleeper. The type of personality I am, I'm somewhat  
15 outgoing, excuse me, friendly, honest, can be  
16 emotional, and I just try to be the type of person  
17 that I want -- treat other people the way that I want  
18 to be treated.

19 MR. BROWN: Thank you. Number 107.

20 (Thereupon, the proceedings were previously  
21 transcribed).

22 MR. BROWN: Thank you. Number 116.

23 JUROR NUMBER 116: I retired from the federal  
24 government after thirty years in August of 2012,  
25 drove around the country three different times. I'm

1 single, don't have anything to do. I like to play  
2 golf, like to play poker at night, and I follow the  
3 stock market during the day. Personality wise, I  
4 like (unintelligible) condensed tracks and make  
5 everything black and white and make decisions very  
6 easily and readily.

7 MR. BROWN: Thank you. Number 122.

8 JUROR NUMBER 122: I work with my husband in  
9 our construction company doing bookkeeping and  
10 secretarial work. I have two grand dogs that I like  
11 to walk. I run three to five miles a day. And I  
12 consider myself an outgoing person. I'm very  
13 involved with my children. I have three children in  
14 medical school and I'm in contact with them daily.

15 MR. BROWN: Thank you. Number 124.

16 (Thereupon, the proceedings were previously  
17 transcribed).

18 MR. BROWN: Number 126.

19 JUROR NUMBER 126: I'm retired three times  
20 over. The last time I worked was in '98. I'm very  
21 outgoing, I belong to a lot of organizations as well  
22 as my church. I'm very active as much as I can. I  
23 used to be more active than I am now. Kind of  
24 settled down because of my health. My church  
25 activities is to build houses for the

1 underprivileged. I belong to all kinds of  
2 organizations (unintelligible).

3 MR. LANNING: Sorry, sir, can you speak up.

4 JUROR NUMBER 126: Back up or what?

5 MR. LANNING: No, I heard most of it.

6 MR. MOORE: Building houses for the church.

7 JUROR NUMBER 126: Oh, yeah, I'm on the trustee  
8 board and kind of (unintelligible).

9 MR. LANNING: Tell us the organizations that  
10 you're involved in.

11 JUROR NUMBER 126: The organizations?

12 MR. LANNING: Yes, sir.

13 THE COURT: I belong to the Martin Luther King  
14 Coalition, NAACP, (unintelligible) Civic League.  
15 American Legion, (unintelligible), Code Board for the  
16 City of Melbourne. That's not an organization. And  
17 I'm very active as much as I can. I try to do what I  
18 can.

19 MR. BROWN: You indicated you were retired  
20 three times, what lines of work?

21 JUROR NUMBER 126: I retired from the military  
22 chief ward master in the military after twenty-two  
23 years and then I got a job with the (unintelligible).  
24 I became the director of services for the Childcare  
25 Association in Brevard County. And then I helped



1 build -- well, helped implement building a community  
2 center for the City of Melbourne and I was asked to  
3 direct that and I did that for twelve years and I  
4 retired from there in '98.

5 MR. BROWN: Thank you. Number 131.

6 JUROR NUMBER 131: The bulk of my days up until  
7 last month was primarily consumed in business related  
8 matters and then I experience what most people  
9 experience a life changing event. So, I'm currently  
10 transitioning to retirement and/or looking for other  
11 employment. So, the jury stipend of fifteen dollars  
12 a day works out very handy.

13 THE COURT: It's thirty after so many days.

14 JUROR NUMBER 131: Is it really?

15 THE COURT: It's thirty dollars.

16 JUROR NUMBER 131: I'm looking forward to that.  
17 I'll take two. Other than that, I enjoy spending  
18 time with my wife and my dog, plane trips back to New  
19 York with my son. I'd describe my personality as  
20 being conservative nature, honest, strong integrity,  
21 very considerate (unintelligible).

22 MR. BROWN: And what line of work were you in?

23 JUROR NUMBER 131: Accounting work.

24 MR. BROWN: Thank you. Number 136, good  
25 morning.

1           (Thereupon, the proceedings were previously  
2 transcribed.)

3           MR. BROWN: Number 149.

4           JUROR NUMBER 149: My after work varies because  
5 my job varies as far as when I get off. If it's late  
6 I usually eat dinner with my husband and go to bed.  
7 Otherwise, if it's around the regular time that I  
8 should get home, I watch a little bit of TV. I  
9 always want to watch something light and funny. On  
10 weekends I cook a lot and I spend time -- go to  
11 church and spend time with our grandchildren who live  
12 very close and my son and daughter-in-law. I'm a  
13 little bit conservative I would say other than my job  
14 because my job is very draining. So, I'm honest,  
15 forthright. I believe that I'm a very caring person  
16 and I want to treat others as I would like to be  
17 treated.

18           MR. BROWN: You indicated earlier this morning  
19 you have a trip that's planned.

20           JUROR NUMBER 149: Yes.

21           MR. BROWN: Okay. We need a little bit more  
22 detail on that. Plane tickets, everything already  
23 bought?

24           JUROR NUMBER 149: Yes.

25           MR. BROWN: I assume it's nonrefundable.

1 JUROR NUMBER 149: Yes. I didn't mention it  
2 before because originally the destination was  
3 March 28th.

4 MR. BROWN: And how long are you set to be gone  
5 for?

6 JUROR NUMBER 149: We're supposed to be back on  
7 the 15th.

8 MR. BROWN: And so the record is clear, if you  
9 couldn't go, how much would you be out-of-pocket?

10 JUROR NUMBER 149: About three thousand dollars  
11 for myself.

12 MR. BROWN: Thank you.

13 THE COURT: You know, I had a couple of  
14 questions about that. You said that you were  
15 meeting -- were you meeting someone there?

16 JUROR NUMBER 149: Our daughter.

17 THE COURT: And where is she coming from?

18 JUROR NUMBER 149: Korea.

19 THE COURT: So, she's meeting you there to  
20 spend that vacation time with you?

21 JUROR NUMBER 149: Correct.

22 THE COURT: So, I assume she has arrangements  
23 as well?

24 JUROR NUMBER 149: Yes. I mean, they could go,  
25 my husband and she could go, you know, independent

1 from myself if you said that I couldn't, but it's not  
2 going to ruin their vacation.

3 THE COURT: But is there any way you could move  
4 that a week?

5 JUROR NUMBER 149: No.

6 THE COURT: Would that be possible or not?

7 JUROR NUMBER 149: No, because she's a school  
8 teacher and this is her vacation time.

9 THE COURT: Okay. Okay. All right. Thank  
10 you.

11 MR. BROWN: Number 156.

12 (Thereupon, the proceedings were previously  
13 transcribe.)

14 MR. BROWN: Number 159.

15 JUROR NUMBER 159: I'm a pretty normal guy. I  
16 get home from work and I'll turn the TV on and watch  
17 a sports show or something. I have two cats which  
18 are hilarious so. I like to laugh. Weekends usually  
19 just spend going out with friends and, you know,  
20 sports related. I try and do something during the  
21 day to get out of the house as far as after work,  
22 either run (unintelligible) usually never gets  
23 happening but. As far as my personality goes, I'm  
24 really curious by nature which gets me in a lot of  
25 trouble, dry, sarcastic sense of humor which gets me

1 in a lot of trouble and that's about it.

2 MR. BROWN: Thank you. Number 164. Good  
3 morning, sir.

4 JUROR NUMBER 164: Currently I'm unemployed,  
5 semi-retired, just moved back here to Florida from  
6 Arizona. I was taking care of an eighty-one year old  
7 lady, she recently passed on which is the reason I  
8 moved back here. Done a lot of things in my life. I  
9 was a sergeant in the Marines, radar technician.  
10 They sent me to Hawaii where I was. After being  
11 discharged from the Marines I was back stage, I  
12 worked with the Honolulu (unintelligible) shop as a  
13 designer and painter there. Moved to San Francisco  
14 where I become a crew technician, computer technician  
15 for sixteen years (unintelligible) Motorola  
16 technician (unintelligible) and technology changed  
17 and the contract was ended there. Got back into  
18 construction, heavy lifting, remodeling and designing  
19 bathrooms and kitchens and basically wore my body out  
20 and that's when I took a fall in 2006 and decided I  
21 have to degenerative discs and go from there.

22 MR. BROWN: Now, you indicated this morning the  
23 pinched nerves in the neck, can you get into a little  
24 bit more detail on the severity of that, what you're  
25 suffering through there.

1 JUROR NUMBER 164: C3, 4 5 and 6 all have  
2 degenerative discs. Two of them are almost herniated  
3 causing pain to both shoulders. They operated on  
4 this elbow (unintelligible) the neck severity the  
5 other shoulder radiating down through the elbow and  
6 if I turn just right it will shoot over to  
7 (unintelligible). Ongoing the three years. They  
8 don't know what to do with the neck. I've been to  
9 neurosurgeons and they say at your age wait it out  
10 and see, if it gets more drastic they'll do surgery  
11 on it. The usual medication, bunch of pain pills,  
12 muscle relaxers. They told me not to do anything  
13 (unintelligible) and just there pass out.

14 MR. BROWN: And if you don't take pain pills or  
15 the muscle relaxers, what level of pain are you at on  
16 a daily basis?

17 JUROR NUMBER 164: About a six or seven.

18 MR. BROWN: And how would that affect you if  
19 you were selected as a juror having to sit through  
20 it?

21 JUROR NUMBER 164: I think it would wear on my  
22 time (unintelligible).

23 MR. BROWN: And how often do you take the pain  
24 pills and muscle relaxers? How often do you take the  
25 pain pills muscle are relaxers?

1 JUROR NUMBER 164: Three times a day.

2 MR. BROWN: Okay. Do you take them daily every  
3 day?

4 JUROR NUMBER 164: Yes.

5 MR. BROWN: And how would that affect your  
6 ability to concentrate for this trial for weeks at a  
7 time?

8 JUROR NUMBER 164: I might inadvertently fall  
9 asleep.

10 MR. BROWN: Thank you, sir. Number 171, good  
11 morning.

12 JUROR NUMBER 171: Good morning. I work in  
13 mortgage banking and when I'm not working on weekends  
14 we're outside the house on the water, go to the  
15 beach. And personality type, I would probably say  
16 I'm honest, loyal, outgoing but on the negative side  
17 I'm a controller so. That's it.

18 MR. BROWN: And you indicated that you're only  
19 paid for two weeks?

20 JUROR NUMBER 171: Right.

21 MR. BROWN: And you indicated it would have a  
22 huge impact, can you give us some more detail about  
23 the impact it would have on you financially, your  
24 family financially.

25 JUROR NUMBER 171: Just, you know, just not

1 getting paid for that long, you know. I mean, I  
2 could probably use savings but, you know, it would  
3 make a difference in my life to use something that I  
4 away for an emergency, you know.

5 MR. BROWN: Okay. How much -- and again, I'm  
6 not trying to ask questions to be nosy but we have to  
7 establish it for the record. Some people may have  
8 how it would affect their savings, knock it from  
9 three hundred thousand down to two hundred and eighty  
10 thousand, others it may wipe out their savings but I  
11 don't know unless I ask. So, where would it hit you?  
12 How would you be -- how much does it affect your  
13 savings?

14 JUROR NUMBER 171: What I get paid and what I  
15 have (unintelligible) but I watch out what I have.

16 MR. BROWN: And knowing that effect that it's  
17 going to have on you, how would that affect you as  
18 far as your performance as a juror? Would it affect  
19 your concentration, would you be distracted?

20 JUROR NUMBER 171: I don't think so.

21 MR. BROWN: Okay. Thank you. Number 177, good  
22 morning.

23  
24  
25 (CONTINUED TO VOLUME XI)