

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

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VOLUME XI 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

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A P P E A R A N C E S

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THOMAS BROWN, ESQ.,
and
JAMES MCMASTER, ESQ.,
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Appearing for
Plaintiff

J. RANDALL MOORE, ESQ.,
MICHAEL PIROLO, ESQ.,
and
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Appearing for
Defendant

Brandon Lee Bradley, Defendant, present

* * * * *

1 JUROR NUMBER 177: Good morning. I work ten
2 hours a day usually five days a week, sometimes six.
3 I rarely get weekends off. So, it's not always two
4 days in a row. I'm a team player at work. I'm work
5 in -- I'm in HR so I have to have an open mind.
6 Dedicated, loyal. And after work, I recently lost my
7 husband over a year ago so I'm trying to rebuild my
8 life for. He was sick for about three years so I was
9 working taking care of him and didn't get out a lot
10 because of that. So, just trying to get my life back
11 together, get my health back together. So, when I
12 get home from work I usually walk for about an hour,
13 just kind of getting into that. I have no family
14 here, most of my family is in the northwest and I
15 think that's basically it.

16 MR. BROWN: Thank you. Number 184.

17 JUROR NUMBER 184: (Unintelligible) after work
18 I'm a choir director so I practice and go
19 (unintelligible) and I spend time with family. On
20 the weekends, right now I'm helping my cousin take
21 care of his mother who's eighty-nine years old, has
22 dementia, and so we don't know what day, week. And
23 on the weekends I play the church. And my
24 personality, I'm very loyal, I'm truthful, I let my
25 word be my bond and that's it.

1 MR. BROWN: Thank you. Number 190.

2 (Thereupon, the proceedings were previously
3 transcribed.)

4 MR. BROWN: Number 196.

5 JUROR NUMBER 196: Yes, I really haven't worked
6 out of the house for several years. I go out of
7 state quite a bit help my sister take care of my
8 parents, so. When I am home I usually -- my husband
9 is retired and we'll go out and do exercising and
10 take our dog for a walk. I don't have any children
11 so we'll take the dog for a walk. And I do a lot of
12 cooking, cooking at home. I was diagnosed with
13 (unintelligible) so I have to do a lot of cooking, I
14 have to do my own cooking so. And we do errands and
15 things like that. And I guess I consider myself
16 pretty quiet. I don't like to talk in big groups.
17 And I'm very honest and I have a good sense of humor
18 and very loyal.

19 MR. BROWN: Okay. Thank you. Number 198.

20 (Thereupon, the proceedings were previously
21 transcribed.)

22 MR. BROWN: Number 205, good morning.

23 JUROR NUMBER 205: 205. I'm a ten year

24 firefighter/paramedic with the [REDACTED]

25 My daily routine is really different every day

1 because of shift work, we work twenty-four hours on,
2 forty-eight hours off, I (unintelligible) three
3 thousand hours a year and what work looks like is
4 always going to school (unintelligible) on
5 certification programs, informational processes. I'm
6 also one of the team leaders so we're always meeting
7 with the city and working on labor management
8 relations and negotiations. Been negotiating with
9 the city on and off for the last six years. Also do
10 public relations and (unintelligible) activities. As
11 far as home life goes, I have a wife and two boys,
12 three and five year told, we're super active, you
13 know, every single day is to the park or to the, I
14 don't know, just everywhere. It's always a whirlwind
15 and we're always cleaning and doing head shuffle, so.
16 We do church on weekends and I'm a worship leader and
17 enjoy music. I'm an extroverted type of person. I
18 really like sports and athletics. I don't get to do
19 a lot of it anymore so. But that's my life and I
20 love it and enjoy it and that's me actually.

21 MR. BROWN: Thank you.

22 (Thereupon, the proceedings were previously
23 transcribed.)

24 THE COURT: Okay. We can be seated. I just
25 had a few matters I want to put on the record. I did

1 receive a doctor's excuse from Juror Number 195. It
2 says that she has acute, how do you say that,
3 sinusitis and bowel disorder. So, I will release
4 Juror Number 195 and Juror Number 195 will be
5 released for cause.

6 We did check on microphones. They said no
7 microphones that will hook up to the system but they
8 did turn up the volume of the speakers around the
9 Defense area. I think with everyone standing up that
10 made everything --

11 MR. PIROLO: It worked a lot better.

12 THE COURT: I think you can hear better. Let's
13 do that, let's keep them standing when you have them
14 answer a question. Do we want to address any that
15 can be excused at this time? That's a yes or no. I
16 don't know if you wanted to -- if you don't, I'm okay
17 with that, if you do I'll address it.

18 MR. MOORE: I think 145's got a valid challenge
19 for cause problem, the trip.

20 THE COURT: I'm okay with the trip.

21 MR. BROWN: Okay.

22 THE COURT: We'll release 149.

23 MR. MOORE: I don't want to but under the
24 circumstances it would be not fair to keep her.

25 THE COURT: Okay. I was happy -- you know, I

1 was happy that she was willing to not go but I
2 wouldn't want to do that. So, 149. Anyone else at
3 this time? I didn't know if you wanted to address
4 164 or 171. If you say yes, I'll address it, if you
5 say no, I won't.

6 MR. MOORE: 164, I think that would be --

7 MR. MCMASTER: Takes (unintelligible) three
8 times a day.

9 MR. MOORE: That would be a valid cause for
10 challenge.

11 MR. MCMASTER: Agreed.

12 THE COURT: Okay. 164 will be released for
13 cause.

14 MR. MOORE: 171 is a valid cause.

15 THE COURT: Okay. 171 will get released for
16 cause. Now, I'll do that when they come in as soon
17 as they come back and then we'll continue with
18 questioning. Anything else we need to address?

19 MR. BROWN: Not from the State.

20 THE COURT: Mr. -- Deputy Kenworthy?

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

23 THE COURT DEPUTY: Several of the jurors have
24 expressed concern about the cameras and pictures of
25 them.

1 THE COURT: I've already explained that to
2 them.

3 THE COURT DEPUTY: And I did too, I just wanted
4 you to know that.

5 THE COURT: Just tell them they're not -- I've
6 already explained that to them.

7 THE COURT DEPUTY: I assured them they're not
8 taking pictures of the jury. I'll reinforce that.

9 THE COURT: Well, maybe I can find that and
10 readdress it again, I just can't do everything twice.

11 THE COURT DEPUTY: I understand.

12 THE COURT: I already told them that.

13 THE COURT DEPUTY: I just wanted you to be
14 aware.

15 THE COURT: Okay.

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

18 THE COURT: Court will be in recess until five
19 minutes til.

20 (Thereupon, a recess was taken in the
21 proceedings.)

22 THE COURT: Okay. We can bring Mr. Bradley
23 into the courtroom.

24 (Thereupon, the defendant was escorted into the
25 courtroom by the court deputy.)

1 THE COURT: Okay. We can go ahead and bring in
2 the jury panel.

3 (Thereupon, the proceedings were previously
4 transcribed.)

5 MR. BROWN: Next question I have and I'll ask
6 this row by row if it applies to anybody. Have you
7 had any contact with the police where you came
8 away -- obviously everybody at one point or another
9 has had some contact with a police officer, but you
10 had the contact and you came away with just that bad
11 feeling where you were ready to take pen to paper and
12 write a letter to his supervisor and say he ought to
13 be reprimanded, fired, anything of that nature. You
14 know, it could be rude, didn't do their job,
15 something of that nature. Or, the flip side of that
16 is, you had contact with a police officer and that
17 contact resulted in that extra good feeling, you
18 thought that officer went well above and beyond, you
19 were ready to pen to paper, write a letter to his
20 chief saying that he ought to get a raise or
21 promotion. Either one of those extremes.
22 Everybody's had contact in the middle, have you had
23 either one of those extremes one side or the other?
24 Front row? Juror Number 9.

25 JUROR NUMBER 9: One time my car broke down,

1 one time my car broke down and the police officer
2 stopped behind me and he was really nasty
3 (unintelligible). You know, I had another time where
4 a police officer stopped and helped me change my
5 tire.

6 THE COURT: Okay. Thank you. Anybody else
7 front row? (No response.) Second row? Number 16.

8 JUROR NUMBER 16: Yeah, I've had both actually,
9 good experiences and bad experiences. Bad experience
10 is the officer was screaming at me when I was just
11 asking if there's a bathroom, screaming at me to get
12 in the car (unintelligible). I wouldn't take
13 (unintelligible). On the good side, I had a Brevard
14 County deputy help me get some equipment back from my
15 daughter's piano teacher from a very nasty person and
16 that was (unintelligible).

17 MR. BROWN: Thank you. Anybody else second
18 row? (No response). Third row? Number 88?

19 JUROR NUMBER 88: I had an officer call me that
20 a bus driver, school bus driver had kicked my five
21 year old daughter off the bus and she was walking
22 down the highway basically by herself. So, he said
23 I'm calling about your daughter and he came over
24 later and brought her a stuffed animal and
25 (unintelligible) thoughts it really nice. I did

1 (unintelligible).

2 MR. BROWN: For the bus driver or him or both?

3 JUROR NUMBER 88: Well, yes, for both. Later
4 the same daughter when she was sixteen was at a party
5 where there was beer and the entire group of
6 teenagers was arrested and a police -- I thought in
7 my opinion an over zealous police officer threw my
8 sixteen year old daughter to the ground because she
9 was at a beer party and I thought that was pretty
10 excessive. I did not put anything (unintelligible)
11 but I let him know.

12 MR. BROWN: Thank you. Anybody else back row?
13 (No response). Over here on my left side. Number
14 106.

15 JUROR NUMBER 106: Well, I've had both also.
16 My (unintelligible) one time and she was driving
17 somewhere and he was very kind to her and he helped
18 her because she was lost and she was crying and he
19 did take care of her. I've had a situation where I
20 was going to work, and I admit the yellow the light
21 was yellow and I was -- I went through it when it
22 turned red as I was halfway, three quarters through
23 it. Well, he stopped me and he complained and he
24 said that I was riding his tail when I was in the
25 another lane and that I wasn't driving right and

1 giving me a hard time and I thought that was wrong.
2 I was wrong, yeah, I guess I should have stopped at
3 the yellow light but I wasn't sure that
4 (unintelligible) behind me so I went through it. So,
5 I've had both experiences.

6 MR. BROWN: Okay. Number 105.

7 JUROR NUMBER 105: I've had both, one really
8 negative experience. It might have been because I
9 had a truck with a topper and it was right after
10 9/11, I was trying to find (unintelligible) guy I
11 work with or (unintelligible) all buddies. My
12 brother and his friend of ours had (unintelligible).
13 Going to play poker and he lived down in Indialantic
14 and I just turned into the wrong condominium complex
15 and it was an Indian Harbor Beach cop and he got
16 behind me and he was just, just so happy that my
17 license had expired a few days before, hadn't got
18 around to doing that, insurance might not have been
19 up to date, the license tag -- it was a
20 (unintelligible). It is one of those things where
21 you want a break and he kind of just pulled me over
22 for really no reason at all. Other experiences on
23 the good where we were playing basketball with
24 buddies late at night and we had the music going too
25 loud and the reporting officer was just real nice and

1 cool about it, you know, ending up shooting shots
2 playing basketball with us for a little bit, real
3 cool about that. Another time we were with friends,
4 different friends, me and my brother, I have a twin
5 brother, get that out there now, we were taking him
6 home from school, he wanted to go to (unintelligible)
7 house and (unintelligible) but it was perceived as
8 sneaking around and the officer that came to check it
9 out, it's actually the same one that told us to turn
10 the music off and played basketball, he was real cool
11 about it. I had an incident at work, just late one
12 night I was working at 3:30 (unintelligible) one of
13 our storage sheds and the KSC security just checking
14 on me. One of those ones where I was leaving in a
15 vehicle and they pulled right in front and I rolled
16 down the window, threw my arms out, I had nothing,
17 but he was really cool about that too
18 (unintelligible) hands out there. So, he knew
19 (unintelligible).

20 MR. BROWN: How about the next row, second row?
21 (No response). And the back row? Number 126?

22 JUROR NUMBER 126: I believe I have two
23 occasions.

24 THE COURT: You're going to have to speak. You
25 might have to stand up.

1 JUROR NUMBER 126: I work (unintelligible) two
2 officers who have been doing a good job in the
3 community. And also I (unintelligible). And then
4 quite sometime ago I wrote a letter on behalf of a
5 school resource officer, they were getting ready to
6 get rid of him at Palm Bay High School and I wrote a
7 letter on his behalf. So, they kept him.

8 MR. BROWN: Thank you. Anybody else in that
9 back row?

10 (Thereupon, the proceedings were previously
11 transcribed).

12 MR. BROWN: Back to Number 1, toughest decision
13 you've ever had to make? I gave you a little bit of
14 time so hopefully that helps.

15 (Thereupon, the proceedings were previously
16 transcribed).

17 MR. BROWN: Juror Number 4.

18 JUROR NUMBER FOUR: Yes, sir. Should I stand?
19 I was think about the toughest decision I've had to
20 make and for me a year or two ago I heard some noise
21 outside my house and I was convinced that something
22 was -- someone was around my house and I got up and I
23 said it must be my imagination but, you know, I heard
24 something at the sliding glass door in the back of my
25 house, I could hear -- I knew it wasn't a

1 neighborhood cat or a dog, someone was obviously
2 trying to open the door. So, I grabbed my firearm, I
3 loaded it and I snatched the curtain open to see who
4 was there. I honestly didn't know what I would do if
5 a man had been there. I'm not sure if I would have
6 shot, but fortunately it was a child, a neighborhood
7 kid just trying to get into my house. He didn't even
8 know I was home. So, that was a tough decision for
9 me.

10 MR. BROWN: Right. Number 5.

11 (Thereupon, the proceedings were previously
12 transcribe.)

13 MR. BROWN: Number 9.

14 JUROR NUMBER 9: I discovered one time that a
15 family member had committed a crime, had been
16 arrested and he had lied to everybody in the family
17 about it and I was the only one that knew about it
18 and I knew that there would be a lot of personal
19 fallout for me that I would have to be the bearer of
20 this news and I had to decide. But it was very
21 disastrous, you know, it could cause a lot of
22 problems to a lot of family members and I had to
23 decide whether to tell everybody or keep it a secret.

24 MR. BROWN: And what did you decide?

25 JUROR NUMBER 9: I told everybody.

1 MR. BROWN: Okay. Numb 11.

2 JUROR NUMBER 11: The toughest decision I've
3 ever had to make was take my mother off life support.

4 MR. BROWN: Number 13.

5 JUROR NUMBER 13: Toughest decision ever was to
6 take my sister off life support.

7 MR. BROWN: Number 14.

8 JUROR NUMBER 141: Toughest decision I ever had
9 to make was I adopted an older son kids and he had
10 another one, toughest decision was not to adopt the
11 girl.

12 MR. BROWN: Number 16.

13 JUROR NUMBER 16: Giving up a good paying job
14 or become a poor student.

15 MR. BROWN: Number 17.

16 JUROR NUMBER 17: Well, several I guess. I got
17 divorced and a decision to take my mother off life
18 support. I guess the one that agonized me the most
19 was (unintelligible) impact of the decision that you
20 make (unintelligible). I came up with the same
21 decision every time to do the right thing and I think
22 I can't force myself to stop thinking
23 (unintelligible) impact.

24 MR. BROWN: Number 29.

25 JUROR NUMBER 29: I guess the toughest decision

1 I ever had to do was put my dog down, he was my best
2 friend.

3 MR. BROWN: Number 36.

4 JUROR NUMBER 36: My wife and I had -- my wife
5 and I had to make a decision to take her father off
6 of life support.

7 MR. BROWN: Number 42.

8 JUROR NUMBER 42: I was going to say Chick
9 Filet or Burger King. Ain't really got nothing that
10 I've ever had to make any decision other than maybe
11 to let my son move out to California with his mom.

12 MR. BROWN: I hate to tell you though, as you
13 get older, tougher decisions are coming.

14 JUROR NUMBER 42: (Unintelligible) Burger King?

15 THE COURT: No, it's always Chick Filet.

16 MR. BROWN: Number 63.

17 JUROR NUMBER 63: I think the toughest one was
18 having to help make a family decision with their
19 great grandmother.

20 MR. MOORE: Please repeat that.

21 JUROR NUMBER 63: I said the toughest one was
22 helping -- being a part of the family decision to put
23 my grandmother in a nursing home.

24 MR. BROWN: Number 65.

25 (Thereupon, the proceedings were previously

1 transcribed.)

2 MR. BROWN: Number 82.

3 JUROR NUMBER 82: Take my father off life
4 support, put my mother in a nursing home.

5 MR. MOORE: Louder, please. Second time?
6 Can't hear.

7 THE COURT: Can you stand up?

8 JUROR NUMBER 82: Yes.

9 THE COURT: Sorry about that.

10 JUROR NUMBER 82: Take my father off of life
11 support and put my mother in the nursing home in the
12 same period of time.

13 MR. BROWN: Number 85.

14 JUROR NUMBER 85: I guess the worst is when my
15 older son passed away was to his have his wife and
16 his -- well, my grandkids, which was just by
17 marriage, and to raise them for the last seven years.

18 MR. BROWN: Number 87.

19 (Thereupon, the proceedings were previously
20 transcribe.)

21 MR. BROWN: 88?

22 JUROR NUMBER 88: The first was realizing that
23 I was heading toward my second divorce and having to
24 make those choices and decisions for my children.
25 The second was that I witnessed a motorcycle accident

1 and I knew it was going to be bad but I stopped my
2 car and ran to the scene rather than driving away and
3 it was (unintelligible).

4 MR. BROWN: Number 89.

5 JUROR NUMBER 89: Actually, I have two also.
6 The first one is when I was five months pregnant with
7 my second child I was told she had down syndrome and
8 the doc gave me the options of terminating my
9 pregnancy and I chose to have her. The second one is
10 my third child, I had to make a decision when she was
11 three months old to have surgery on her
12 (unintelligible).

13 MR. BROWN: Number 93.

14 JUROR NUMBER 93: I had some tough decisions to
15 make during the Vietnam War. I don't think I need to
16 elaborate. I care not to elaborate. But I'd say the
17 most difficult I ever had to make is my -- I have an
18 uncle who took my family when my father abandoned us
19 and I had remove life support and looking at
20 everything, the stuff in Vietnam was kind of like
21 business, but I'd say the toughest thing was removing
22 the life support.

23 MR. BROWN: Number 102.

24 (Thereupon, the proceeding were previously
25 transcribed.)

1 MR. BROWN: Number 105.

2 JUROR NUMBER 105: It was just me and part of
3 collective decision to put down the family dog but
4 hardest decision.

5 MR. BROWN: Number 106.

6 juror number106: Two. When my son was just a
7 couple of months old he had to have -- he had
8 (unintelligible) stenosis and he had to have surgery
9 and (unintelligible) local hospital or travelling
10 with him to go to a city hospital, and the second one
11 was having to put down our dog.

12 MR. BROWN: Number 107.

13 (Thereupon, the proceedings were previously
14 transcribed.)

15 MR. BROWN: Number 116.

16 JUROR NUMBER 116: Foregoing my grandmother's
17 funeral so I could finish off (unintelligible).

18 MR. BROWN: Number 122.

19 JUROR NUMBER 122: Toughest decision I think I
20 ever had to make was placing my father in a nursing
21 home when he was ill, whether to do that or take care
22 of him.

23 MR. BROWN: Number 124.

24 (Thereupon, the proceedings were previously
25 transcribed.)

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MR. BROWN: 126.

JUROR NUMBER 126: I guess about a year and a half ago I use to travel back and forth up to Ohio to kind of take care of my two sisters who were (unintelligible) and every time I would leave they would regress and relapse and I just had to put them -- and I had power of attorney so I had to put one of them in a nursing home because my nieces and nephews wasn't taking care of them and I regret that. I'm glad I was able to do, I was sad that they had kids that didn't take care of them.

MR. BROWN: 131.

JUROR NUMBER 131: For a job opportunity I had to tell my family we had to relocate to a different state. What made it tough was that my son was probably six years old at the time and in elementary school, and I was also taking care of my ailing father and that was challenging for everyone.

MR. BROWN: 136.

(Thereupon, the proceedings were previously transcribed.)

MR. BROWN: Number 159.

JUROR NUMBER 159: Yeah, my parents were divorced before I was born. My grandmother raised me and a couple years later when I was twenty-one and

1 she was diagnosed with Alzheimer's so I had to kind
2 of make -- couldn't afford -- the family couldn't
3 afford hospice or send her to a home and so they
4 needed someone to watch over and life with her after
5 my grandfather died. So, I had the choice to go to
6 college on kind of an athletic scholarship or stay
7 and take care of my grandmother. So, I stayed. In
8 the beginning she was fine, she just forgot some
9 things. In the middle called me by different names,
10 at the end she was gone.

11 MR. BROWN: Number 177.

12 JUROR NUMBER 177: I think the toughest
13 decision was for me is when my husband asked me not
14 to call 911, that he was ready to go and to let him
15 go to hospice so he could die in the home.

16 MR. BROWN: Number 184.

17 JUROR NUMBER 184: I think the toughest
18 decision for me was when they said that I had --
19 needed to have my knee replaced, but that was a tough
20 decision for me to make.

21 MR. BROWN: Number 190.

22 (Thereupon, the proceedings were previously
23 transcribed.)

24 MR. BROWN: 196.

25 JUROR NUMBER 196: Yes, mine was putting down

1 my dog.

2 MR. BROWN: 198.

3 (Thereupon, the proceedings were previously
4 transcribed.)

5 MR. BROWN: 205.

6 JUROR NUMBER 205: 20. Mine's recuring and
7 it's working on patients that are (unintelligible)
8 that are dead and they're not going to have a
9 favorable outcome or worse when they don't want to
10 live and have (unintelligible).

11 MR. BROWN: Let me go back to the front row.
12 Anybody in the front row have either yourself a
13 family or close friend ever been arrested and charged
14 with a crime? Number 5.

15 (Thereupon, the proceedings were previously
16 transcribed.)

17 MR. BROWN: Number 11.

18 JUROR NUMBER 11: DUI myself, yeah, I was
19 treated fairly.

20 MR. BROWN: Okay. Was that several years ago
21 or?

22 JUROR NUMBER 11: Thirty years ago.

23 MR. BROWN: Okay. And safe to assume that
24 wouldn't affect you at all in your decision here?

25 JUROR NUMBER 11: No, it was a self-correcting

1 error, very expensive one.

2 MR. BROWN: Second row? Or I'm sorry, Number
3 9.

4 JUROR NUMBER 9: I've had family members
5 arrested but nothing related to this case or -- my
6 father-in-law had a felony for grand larceny, my
7 sister got arrested, she was a teenager, for
8 (unintelligible).

9 MR. BROWN: How long ago was it for your
10 father-in-law?

11 JUROR NUMBER 9: It was about three years ago.

12 MR. BROWN: And did you follow that case at all
13 or?

14 JUROR NUMBER 9: No.

15 MR. BROWN: And was he treated fairly?

16 JUROR NUMBER 9: Yeah.

17 MR. BROWN: Did it occur here locally?

18 JUROR NUMBER 9: It was in another county.

19 MR. BROWN: But in Florida?

20 JUROR NUMBER 9: Yes.

21 MR. BROWN: And you said your sister as a
22 juvenile?

23 JUROR NUMBER 9: Was arrested, yeah
24 (unintelligible).

25 MR. BROWN: Was she treated fairly?

1 juror number 9 : Yes, she was.

2 MR. BROWN: Number 13, did you?

3 JUROR NUMBER 13: My son three times
4 (unintelligible) vehicle Brevard County,
5 (unintelligible) pulled up, it's his problem, he's
6 old enough, he was an adult, screwed up and paid
7 (unintelligible).

8 MR. BROWN: Second row, yourself, close family
9 member or friend. Number 14.

10 JUROR NUMBER FOURTEEN: My son
11 (unintelligible).

12 MR. BROWN: And as far as the arrest and the
13 system, was he treated fairly or?

14 JUROR NUMBER FOURTEEN: He should have paid
15 child support.

16 MR. BROWN: Pardon me?

17 JUROR NUMBER FOURTEEN: He should have paid
18 child support.

19 MR. BROWN: Number 17.

20 JUROR NUMBER 17: Really haven't been arrested,
21 I've been accused twice, both, very coincidentally
22 (unintelligible). Police were very nice about it, I
23 think they all realized that they were just trying to
24 get me in trouble and explained the situation. No
25 charges were ever filed. They realize that

1 (unintelligible).

2 MR. BROWN: Okay. So, I assume that wouldn't
3 cause any effect sitting as a juror in this case?

4 JUROR NUMBER 17: No.

5 MR. BROWN: Okay. Number 29.

6 JUROR NUMBER 29: My youngest brother who's
7 sixteen years younger than me who I'm not very close
8 to has been arrested numerous occasions up in Ohio.

9 MR. BROWN: I assume if you're not close you
10 don't follow the cases closely?

11 JUROR NUMBER 17: No, I didn't even know about
12 his fourth DUI until it happened, so.

13 (Unintelligible) send my mom money to help him out
14 because (unintelligible) I have to talk to him in
15 years.

16 MR. BROWN: Okay. Would it affect you at all
17 sitting as a juror?

18 JUROR NUMBER 17: No.

19 MR. BROWN: Number 36.

20 JUROR NUMBER 36: Daughter, multiple DUI's,
21 failure to appear, violation of probation, yadda,
22 yadda, yadda, yadda. (Unintelligible).

23 MR. BROWN: Okay. 42, did you raise your hand?

24 JUROR NUMBER 42: I don't think mine really
25 matters but my ex-wife, she almost got one of those

1 free trips to Sharpes for domestic violence. Then my
2 ex-girlfriend did get the free trip to Sharpes for
3 domestic violence. I can't bring myself to hit
4 anybody so justice really kind of worked in both
5 directions.

6 MR. BROWN: Would it affect you at all sitting
7 as a juror?

8 JUROR NUMBER 42: No.

9 MR. BROWN: Back row. Number 63.

10 JUROR NUMBER 63: He have a sister that's
11 currently serving a life sentence in the California
12 State prison for attempted murder, conspiracy to
13 commit murder and (unintelligible).

14 MR. BROWN: How close did you follow the case?

15 JUROR NUMBER 63: I had to go and testify which
16 didn't help her any, and I believe the court system
17 did its job, she got a just sentence. She's still
18 does not, and this has been since she was sentenced
19 in '97 I think, '96, still has not taken
20 responsibility for her actions.

21 MR. BROWN: And would that affect you at all
22 sitting as juror on this case?

23 JUROR NUMBER 63: No. No, it wouldn't. You
24 know, I got to see -- I didn't get to see the whole
25 thing but I read her entire transcript and I think

1 she got a very fair trial. I think the jury did a
2 great job.

3 MR. BROWN: Thank you. Number 88.

4 JUROR NUMBER 88: Yes, two of my children
5 actually. My oldest son was a real reckless
6 teenager, got into alcohol and drug abuse, eventually
7 cleaned up, he's thirty and sober now, he's never
8 been treated unfairly by the justice system. My
9 daughter was arrested at the beer party that I talked
10 about earlier and for shoplifting once when she was
11 fourteen. She got community service for both times
12 and it was actually a blessing in disguise. She got
13 to work with an animal shelter which she really
14 enjoyed (unintelligible).

15 MR. BROWN: So, any of those situations affect
16 you at all sitting as a juror?

17 JUROR NUMBER 88: No.

18 MR. BROWN: Number 89.

19 JUROR NUMBER 89: I have several. It was like
20 (unintelligible) family members, drugs, different
21 things (unintelligible).

22 MR. BROWN: How do you feel about all that?

23 JUROR NUMBER 89: I didn't follow any of the
24 cases.

25 MR. BROWN: Okay. Any ill will, resentment

1 towards anybody that was involved in the arrest,
2 prosecutions?

3 JUROR NUMBER 89: (Unintelligible).

4 MR. BROWN: Did some, all, or none of them
5 occur in this county?

6 JUROR NUMBER 89: Two of them occurred in this
7 county.

8 MR. BROWN: And the ones that occurred in this
9 county, how far back are we talking about?

10 JUROR NUMBER 89: The last one was about two
11 years ago. About two years ago.

12 MR. BROWN: Would it --

13 juror number89: No, it wouldn't affect me
14 (unintelligible) because it was (unintelligible) this
15 case but (unintelligible).

16 MR. BROWN: How do you feel about the ones you
17 followed, what you know about it, how the people were
18 treated, any thoughts?

19 JUROR NUMBER 89: Only time I really
20 (unintelligible) on line the outcome of the case and
21 everything and that's the (unintelligible).

22 MR. BROWN: Any or a combined situation, would
23 it affect you at all sitting as a juror?

24 JUROR NUMBER 89: No.

25 MR. BROWN: Front row on this side? Number 93.

1 JUROR NUMBER 93: I had a DUI and I had a -- I
2 was never convicted of it but it just -- it was --
3 that was related partially to the DUI. This happened
4 thirty-five years ago and -- but the results were
5 assault on a police officer which they -- this was in
6 Washington DC, the judge really gave me a good break
7 and if I got into AA and stayed out of trouble, but
8 after three years -- I'm not sure of the legal term,
9 but they throw -- they don't -- they seal the case
10 and they --

11 MR. BROWN: Expunge.

12 juror number93: That's the word, sir, yeah,
13 they expunge the record. The police -- I have to say
14 they thought they were DC police, they roughed me up
15 a little bit but I think I had it coming to me, you
16 know, the way I was acting at the time but. And my
17 father, he's had, well, not close to, he's gone
18 numerous, numerous brushes with the judicial system,
19 mostly fraud and check, those kinds of things, but
20 nothing ever violent or anything like that.

21 MR. BROWN: And through your situation, that
22 cause you, obviously thirty-five years ago, any ill
23 will, resentment towards the system today?

24 JUROR NUMBER 93: Oh, heck, no, I was out of
25 control and the best thing -- you know, I wasn't

1 happy about it at the time but it was probably the
2 best thing that ever happened to me.

3 MR. BROWN: Would it Affect you at all sitting
4 as a juror?

5 JUROR NUMBER 93: No, not at all.

6 MR. BROWN: Thank you. Rest of that front row?
7 Number 102.

8 (Thereupon, the proceedings were previously
9 transcribed.)

10 MR. BROWN: And Number 116.

11 JUROR NUMBER 116: I've got a brother who's
12 been arrested multiple times for DUI, felony DUI. He
13 served five years. I don't think the system was fair
14 to him or I think the time that they put him in jail.
15 I think the system also does not let somebody who has
16 served their time come out and become a productive
17 member of society here. By the way, they -- in his
18 example, they got -- his driver's license is withheld
19 for another years. He works construction so it's
20 kind of hard for him to get around to construction
21 jobs when he doesn't have a driver's license. So,
22 it's kind of like the system didn't allow his
23 sentence to be over, they've added to the sentence
24 not through the judicial system I would say but
25 through the --

1 MR. BROWN: DMV?

2 JUROR NUMBER 116: DMV, right.

3 MR. BROWN: With that situation, would that
4 affect you at all sitting as a juror?

5 JUROR NUMBER 116: No.

6 MR. BROWN: I know we talked before you said
7 (unintelligible)? Never know what term it was but
8 we've talked to several people, but basically
9 compartment, putting things into compartments and
10 separating them.

11 JUROR NUMBER 116: Yeah, I can
12 compartmentalize.

13 MR. BROWN: That was the term you used. I was
14 trying to remember it and I just couldn't, so.
15 Thank. Anybody else in the second row? (No
16 response). How about third row?

17 THE COURT: 122.

18 MR. BROWN: I'm sorry, 122.

19 JUROR NUMBER 122: Yes, I have a brother that
20 was charged with murder and it ended in a hung jury
21 and they ended up plea bargaining, and I have younger
22 son that was charged with possession of marijuana
23 which was later dropped.

24 MR. BROWN: With your brother's case, I assume
25 you followed that.

1 JUROR NUMBER 122: Yes.

2 MR. BROWN: And what were your thoughts in the
3 process of how that happened?

4 JUROR NUMBER 122: It was a long trial and it
5 ended with a dog and they -- since that time brought
6 cases back where people had been convicted by a dog
7 and for some reason my brother's case did not come
8 back but he served his time and he's an active
9 citizen now. And I worked for attorneys pretty much
10 all my life so -- and I worked for one when that
11 trial was going on.

12 MR. BROWN: How would it affect you sitting as
13 juror?

14 JUROR NUMBER 122: It wouldn't affect me at all
15 because basically they weighed the evidence.

16 MR. BROWN: Thank you. And I do apologize,
17 Number 107, you're a good sized man so I never seem
18 to see your hand being raised back there. So, I'm
19 sorry. How I'm standing and you raise your hand it's
20 clearly right behind you and I have to start
21 remembering to move. So, I do apologize, that's
22 twice I've missed you. About the back row? Number
23 125.

24 (Thereupon, the proceedings were previously
25 transcribed.)

1 MR. BROWN: Number 126.

2 JUROR NUMBER 126: I've have some nephews up
3 north --

4 MR. MOORE: I can't hear.

5 JUROR NUMBER 126: I have some nephews up north
6 who I already spoke about before whose been in and
7 out of the penitentiary all their lives, and my son
8 wrote a bad check here about three years ago and
9 that's been clear.

10 MR. BROWN: Would any of those situations
11 affect you at all sitting as a juror?

12 JUROR NUMBER 126: None whatsoever.

13 MR. BROWN: You can set it all aside and just
14 base it on the facts and evidence, right?

15 JUROR NUMBER 126: I already said.

16 MR. BROWN: Anybody else in that row? Number
17 136.

18 (Thereupon, the proceedings were previously
19 transcribed.)

20 MR. BROWN: Number 159.

21 JUROR NUMBER 159: I'm not sure if it qualifies
22 but I have an embarrassing amount of speeding
23 tickets. Never been to court or anything for it but
24 it should probably be noted.

25 MR. BROWN: Two things, A, would it affect you

1 at all sitting as a juror?

2 JUROR NUMBER 159: Not at all. The police
3 officers were always nice.

4 MR. BROWN: If you do get selected as a juror,
5 can you obey it at least during the trial?

6 JUROR NUMBER 159: I'll be here on time.

7 MR. BROWN: Second row. Number 177.

8 JUROR NUMBER 177: Two things. My younger
9 brother who's always in trouble when we were
10 teenagers spent several times in jail. Running away
11 from the police when they were trying to pull him
12 offer for speeding, he just did crazy things like
13 that. Then this was fourteen years ago, my sister
14 was charged with embezzlement and she spent a year
15 and a half in jail. She worked in a bank and my
16 father had to turn her in because he worked there
17 also.

18 MR. BROWN: Was she treated fairly in the
19 process?

20 JUROR NUMBER 177: She was, she pleaded guilty,
21 she paid the price. Still paying the price actually.

22 MR. BROWN: Would either of those situations
23 affect you at all sitting as a juror?

24 JUROR NUMBER 177: Not at all.

25 MR. BROWN: Okay. Anybody else in the second

1 row? Number 184.

2 JUROR NUMBER 184: My sister out of state, I
3 don't know the details (unintelligible) everything
4 but I think that she had wrote some bad checks and
5 she served, I don't know, maybe three months.

6 MR. BROWN: And would that affect you at all
7 sitting as a juror?

8 JUROR NUMBER 184: No.

9 MR. BROWN: Anybody else second row? (No
10 response). Third row? Number 205?

11 juror numer 205: 205. I was arrested twice as
12 a juvenile, almost all my friends that I grew up with
13 were arrested at some point other another, and two
14 families members as well.

15 MR. BROWN: As far as yours, treated fairly?

16 JUROR NUMBER 205: Yeah, I think so.

17 MR. BROWN: Cause you any ill will, resentment
18 towards anybody?

19 JUROR NUMBER 205: No.

20 MR. BROWN: Affect you at all sitting as a
21 juror?

22 JUROR NUMBER 205: No.

23 MR. BROWN: Thank you. Juror Number 184, I
24 didn't come back to you earlier when I was trying to
25 get everybody else. You talked about a situation

1 with your mother-in-law.

2 JUROR NUMBER 184: Yes.

3 MR. BROWN: You've had a little bit more time
4 to think about it, how do you feel about if you're
5 selected as a juror with her situation?

6 JUROR NUMBER 184: Well, this week has just
7 been tough for me because my husband hasn't really
8 worked that much. So, I said that, you know, we'll
9 know from day to day and I told him that I could, you
10 know, stay some days and keep her if she don't, you
11 know, feel like going to day care but -- so, I'm here
12 now. I had told him that I would be able to keep her
13 that week like Tuesday but I couldn't do that so he
14 had to stay off. So, we just don't know, it's just a
15 day to day situation.

16 MR. BROWN: Obviously if you're here, and this
17 applies to everybody, but you have a situation at
18 home, if you're selected you're going to have to be
19 concentrating on this trial, obviously, we'll go
20 throughout the day and how will that affect your
21 ability to concentrate, focus, to perform your duties
22 as a juror in what's an extremely important case?

23 JUROR NUMBER 184: I think I can do it if it
24 doesn't get worse, you know, I think I can
25 concentrate but, you know, but if certain situation

1 happens, it might be an impact, yeah.

2 MR. BROWN: Are you willing to go forward with
3 this process? You want to go forward?

4 JUROR NUMBER 184: Well, I guess so. I guess
5 I'll do it. I mean, it's going to be hard, it would
6 be very hard for him and it's going to very hard for
7 my daughter that's there, so.

8 MR. BROWN: Would he be missing -- would he be
9 missing work to?

10 JUROR NUMBER 184: Yeah, because it's just, you
11 know, just me and him. I mean, I have other kids but
12 they have their own families, so. She's down here
13 and she won't be going back until like in the middle
14 of April if she's able to go.

15 MR. BROWN: Thank you.

16 THE COURT: Okay. We do need to take a lunch
17 break.

18 (Thereupon, the proceedings were previously
19 transcribed).

20 THE COURT: Okay. Please be seated. Anything
21 we need to discuss before we break for lunch as well?
22 Okay. I plan to kind of go until 4:30 today, that's
23 my goal, go about 4:30 and recess at 4:30.

24 MR. PIROLO: Judge, can we approach on the
25 Juror 184?

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

3 THE COURT: Okay. We have a stipulation.
4 We're just concerned that her mother-in-law, she may
5 have an issue in the middle of the trial and it
6 sounds like it would be heavy on her mind and if
7 something does come she may need to take off. At
8 least that's the impression I've been getting.

9 MR. BROWN: Right.

10 MR. LANNING: Judge, I lost a family member
11 last year to Alzheimer's and the only thing we're
12 missing at this point is, you know, where she's at in
13 the process but it's a mother-in-law.

14 THE COURT: She said dementia.

15 MR. LANNING: Well, it's -- so was my family
16 member, it's basically the same thing at the end
17 stage.

18 THE COURT: I mean, I understand that, I've
19 been through that as well. I mean, you all are
20 stipulating 184?

21 MR. PIROLO: Yes.

22 THE COURT: Okay. Then 184 will be released
23 for cause.

24 MR. PIROLO: Thank you, Your Honor.

25 (Thereupon, the benchside conference was

1 concluded and the proceedings were had as follows:)

2 THE COURT: Okay. Court will be in recess
3 until 1:30. If I'm a little late, I'm working on
4 this case but I'll be here as soon as I can. If I am
5 a little late what I'm going to ask the deputies to
6 do is once 1:30 comes, get everyone together, get the
7 jury panel together and bring them up so the minute I
8 get here we can be ready to go.

9 THE COURT DEPUTY: Yes, ma'am.

10 THE COURT: Okay. Okay. Thank you.

11 (Thereupon, a lunch recess was taken in the
12 proceedings.)

13 THE COURT: I do apologize, there was a
14 proceeding that's been on the books for a long time,
15 there wasn't too much I could do about it. If it was
16 something I could have someone else handle, I would
17 have done that but it was not. Okay. We'll bring
18 out Mr. Bradley.

19 (Thereupon, the defendant was escorted into the
20 courtroom by the court deputy.)

21 THE COURT: Okay. Deputy Blankenship, you all
22 got the message that I said tell them to go to the
23 restrooms because we're going to go until we're done
24 probably for today. So, I said go to the restroom
25 before you come in here. That's what I directed my

1 court deputies to tell the jury panel. Any matters
2 that we need to address before we bring the panel in?
3 I'm going to release 184. Anything else?

4 MR. MOORE: No.

5 THE COURT: Now [REDACTED] wants to go. Can
6 I have them come in or do you want me to wait?

7 MR. LANNING: You can have them come in.

8 THE COURT: Okay. All right. We'll bring them
9 in.

10 (Thereupon, the proceedings were previously
11 transcribed.)

12 MR. BROWN: Is there anything in your
13 background, belief system, family history that in any
14 way is going to impair your ability to make a
15 decision?

16 JUROR NUMBER 12:

17 JUROR NUMBER ONE: No. No, sir.

18 MR. BROWN: Juror Number 4?

19 JUROR NUMBER 40: Yes, sir.

20 MR. BROWN: How do you feel about -- some of
21 the people up front you've been on the original panel
22 back two weeks ago, three weeks ago, whenever it was,
23 had a lot of time to think about it.

24 JUROR NUMBER FOUR: Yes, I have.

25 MR. BROWN: How do you feel?

1 JUROR NUMBER FOURTEEN: I realize the gravity
2 of this decisions that the jury would make is
3 incredible. I realize it's something you can't take
4 lightly. If you're asking me if I'm prepared to do
5 that, yes, sir, I would if I could, but I certainly
6 understand it's a very important decide that has to
7 be made.

8 MR. BROWN: Juror Number 5.

9 (Thereupon, the proceedings were previously
10 transcribed.)

11 MR. BROWN: Juror Number 9.

12 JUROR NUMBER 9: I feel like with all the
13 instructions and I do believe in equal justice and
14 the law. There is something that a few years ago I
15 was friends with a lady, a local person here and she
16 was murdered and I went to her funeral and that was
17 worse than anything I had ever -- I wasn't that
18 close, I wasn't that close of a friend to her but I
19 went and I saw all of her siblings and her elderly
20 mother, you know, and I answered honestly and
21 truthfully about all the things that you guys asked
22 me here in this, but I'd have to be honest in saying,
23 you know, being and seeing what that's like from that
24 other side, I have to be honest and tell you that
25 that would make me sympathize more with the victim

1 and the families of the victim and I don't -- and I
2 do take this seriously and I'm not saying that
3 lightly because I think it's important for you to
4 pick the right people, but I have been on that side.

5 MR. BROWN: Okay. We'll talk about that a
6 little bit because I think it's certainly a natural
7 feeling to sympathize and I don't think we would be
8 human beings if we didn't sympathize with the family
9 of somebody who was hurt and was murdered. I mean,
10 that's just -- that's kind of what makes us human
11 beings as opposed to some of the lower forms of life
12 on the planet. The key is having that sympathy for
13 them and for the pain and suffering, does that
14 (unintelligible) the State from deciding whether this
15 defendant is guilty or not and what his potential
16 sentence may be?

17 JUROR NUMBER 9: Yeah, I can see the guilt or
18 innocence part, I mean, because she -- I don't know
19 what happened, (unintelligible) really don't have
20 proof that he did that, but I think when you talk
21 about -- you guys had mentioned earlier about the
22 mitigating circumstances, I think just being on that
23 other side, you know, and I've been -- I don't know
24 if you want to know what case it was but it was
25 fairly recent, it was in the past few years, that

1 would definitely make me -- that some of these things
2 like, you know, psychologists, you know, testifying.

3 MR. LANNING: Judge, may we approach?

4 THE COURT: Yes, you may.

5 (Thereupon, a benchside conference was had out
6 of the hearing of the prospective jury panel as follows:)

7 MR. LANNING: This is probably something we
8 need to get to individually with her because we could
9 poison the panel if you allow her to keep talking.

10 MR. MOORE: She's bringing out things --

11 MR. LANNING: We need to find out.

12 MR. MOORE: -- in a way that she didn't express
13 them when we talked. It goes beyond what we
14 discussed when we talked individually with her.

15 THE COURT: Response from the State.

16 MR. BROWN: Judge, I think that's entirely
17 within your discretion.

18 THE COURT: Here's -- I'm not going to do a
19 whole other voir dire with individual panels, I'm
20 going to be skeptic to do that because we have spent
21 lots of time with each individual. We got -- I
22 allowed you to get into a lot more subjects than what
23 was agreed to what I said. Even I got into some
24 different subjects just so that we could address it,
25 you know, and you can ask her if she can follow the

1 law and ask her those things, but we've already gone
2 through all that again. If they've changed their
3 minds and she says she can't serve, then we'll
4 address that.

5 MR. LANNING: Judge, this is something that
6 wasn't addressed with this lady because I don't --
7 she never brought that up and I don't think she ever
8 brought it up.

9 MR. MOORE: She didn't bring the other murder
10 up. So, that's new.

11 MR. PIROLO: It's something she should have
12 bought up when we were discussing mitigating
13 circumstances with her and that's a concern she has.

14 MR. MCMASTER: The description that she gave,
15 she's talking about the Sheila Graham trial.

16 MR. MOORE: Well, and also, she's on the
17 verge of tainting, poisoning the whole jury by
18 getting into --

19 THE COURT: Do you have any reason to believe
20 that?

21 MR. MCMASTER: She's talking about the sisters
22 and the elderly woman, the family.

23 MR. MOORE: Which case was that?

24 MR. MCMASTER: Sheila Graham trial.

25 THE COURT: We can question her about the other

1 case outside the presence of the other jurors but,
2 you know, I'm not -- I'm surprised we're even asking
3 this question after everything we've been through
4 with all these jurors, with all due respect.

5 MR. BROWN: I want to make certain that there's
6 not something there that's causing them hesitation
7 for them to make a decision.

8 THE COURT: I mean, didn't we do that already
9 with everyone here?

10 MR. LANNING: It's obviously something that --

11 THE COURT: You know, in a perfect world if you
12 ask them if they want to be here, they're all going
13 to -- I mean, I would expect most people would say
14 no. So, this isn't something people -- you know,
15 this isn't a two day trial, three trial, this is a
16 five week trial and I would expect they're going to
17 say no. So, that expectation from me is going to be
18 in every case. So, I need more. I need more at this
19 point.

20 MR. MOORE: I would point out that she brought
21 up this whole issue of having the friend who was
22 murdered and the victim impact and now siding be more
23 sympathetic to the family. I mean, she brought it up
24 so it's not like Mr. Brown jumped on it.

25 THE COURT: I'll allow you to question her

1 outside.

2 MR. MOORE: We need to go into it.

3 MR. BROWN: Judge, we can do that at the end of
4 mine today.

5 THE COURT: I'll decide when we're going to do
6 that, with all due respect.

7 MR. BROWN: Okay. I'm sorry.

8 THE COURT: Okay. Go ahead.

9 MR. MOORE: But we need to get off of it now
10 with her.

11 THE COURT: I mean, I would agree, tell her
12 we're going to ask her questions another case she may
13 be -- I'll tell her that.

14 MR. BROWN: Okay.

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

17 THE COURT: Okay. Juror Number 9, we're going
18 to talk to you -- you brought up maybe another case,
19 we're going to talk to you about that but we don't
20 want to do that in the presence of everyone else.
21 Okay. So, we're going to do that at some point with
22 you individually.

23 JUROR NUMBER 9: Okay.

24 THE COURT: Okay. Mr. Brown.

25 MR. BROWN: Thank you, Your Honor. Juror

1 Number 11, now that you've had the time, can you make
2 a decision?

3 JUROR NUMBER 11: Yes.

4 MR. BROWN: Anything in your background cause
5 you any concern?

6 JUROR NUMBER 11: No.

7 MR. BROWN: Number 13, make that decision?

8 JUROR NUMBER 13: I told you last time I was on
9 the fence, I'm more off the fence now but it would be
10 done with a heavy heart, I know (unintelligible)
11 recommendation but somebody really had to
12 (unintelligible).

13 MR. BROWN: Juror Number 14, can you make the
14 decision?

15 JUROR NUMBER FOURTEEN: Yes.

16 MR. BROWN: Juror Number 16?

17 JUROR NUMBER 16: It's a big responsibility and
18 I think that (unintelligible) preclude me from making
19 a decision, my only concern is the factual weighing
20 in the trial, how it impacts what my normal life is
21 and the responsibility that I have.

22 MR. BROWN: Number 17?

23 JUROR NUMBER 17: Two and a half weeks ago when
24 we started we didn't know what kind of case we were
25 going to be questioned about, being (unintelligible)

1 case about ten years ago, my desire should not be
2 (unintelligible) rose a little bit but I think I can
3 do a fair job.

4 MR. BROWN: Number 29?

5 JUROR NUMBER 29: Yes, I can make a decision.

6 MR. BROWN: Number 36?

7 JUROR NUMBER 36: I can make a decision.

8 MR. BROWN: 42?

9 JUROR NUMBER 42: I can make a decision.

10 MR. BROWN: 63?

11 JUROR NUMBER 63: I can make a decision.

12 MR. BROWN: 65?

13 juror number 65: Yes, I can make a decision.

14 MR. BROWN: Number 82?

15 JUROR NUMBER 82: Being able to do this and
16 yes.

17 MR. BROWN: Number 85?

18 JUROR NUMBER 85: Yes.

19 MR. BROWN: Number 87?

20 JUROR NUMBER 87: Yes.

21 MR. BROWN: 88?

22 JUROR NUMBER 88: I'm apprehensive but I
23 (unintelligible) I think but for the most part I
24 think it's my duty and my honor as a citizen.

25 MR. BROWN: Number 89?

1 JUROR NUMBER 89: I could make a decision but
2 (unintelligible).

3 MR. BROWN: You've heard the Court talk about
4 that your names are restricted, that's why we're -- I
5 feel kind of impersonal calling everybody by a number
6 but there's a reason why we do that. There's no --
7 your name doesn't get published, your picture doesn't
8 get published, not that we ever expect anything to
9 happen but when you have spare tires in your car, you
10 take a precaution. So, knowing that those
11 precautions are taken, does that give you comfort?

12 JUROR NUMBER 89: Yes.

13 THE COURT: Just so you know, it would take a
14 court order to have your names and information
15 accessible and I just want you to know that. So,
16 that wouldn't be something that would happen likely.
17 Okay. I've never entered one of those orders yet
18 just so you know. So, I don't expect that -- I mean,
19 there's never an ever when it comes to court but it
20 would require a court order. Everyone here takes
21 that very seriously.

22 MR. BROWN: Number 96?

23 JUROR NUMBER 96: Yes, sir.

24 THE COURT: 102?

25 JUROR NUMBER 102: Yes.

1 MR. BROWN: 105?

2 JUROR NUMBER 105: It would be the hardest
3 decision in my life, I can make it. If I do
4 understand (unintelligible) versus coming from as far
5 as potential backlash, you know, victim being a
6 sheriff, a sheriff of Brevard County officer and the
7 courtroom Brevard County officer and -- I'm not
8 questioning them, but just Brevard County Sheriff's
9 Office you'd figure would be a family, you know, how
10 tightknit it is, this or that, but it's just a
11 thought. Just a thought what would happen if the
12 outcome wasn't what they wanted, what they thought
13 justice, what their idea of justice was.

14 MR. BROWN: Would you let -- is that just kind
15 of a thought that's there or?

16 JUROR NUMBER 105: It's there. Would it
17 influence me, no, I can make the decision, I can push
18 that aside, yes.

19 MR. BROWN: Number 106.

20 JUROR NUMBER 106: I don't know, I've had time
21 to think about this and I'm very apprehensive. I'm
22 very analytical, I'm very literal. I -- it's hard
23 for me to say because I've never been in this
24 situation before and I hate saying yes, I will have
25 no problem doing this because I don't know.

1 MR. BROWN: You know, I don't mean by asking
2 this question to imply it's easy, that it's just
3 another decision that you make, that -- you know,
4 it's an extremely important decision and some of the
5 other jurors and the terms they used, the adjectives,
6 very descriptive. So, it shouldn't be easy, it
7 should be something taken lightly.

8 JUROR NUMBER 106: No, it's very difficult and
9 it's very stressful.

10 MR. BROWN: Can you do it?

11 JUROR NUMBER 106: I'm not sure.

12 MR. BROWN: One 93, you raised your hand.

13 JUROR NUMBER 193: Sir, I -- maybe this
14 question should be addressed to Her Honor but, ma'am,
15 I can decide a verdict, I was wondering is this jury
16 going to be sequestered? And as far as releasing the
17 names --

18 THE COURT: There's been no discussion of
19 you -- I have not discussed sequestered with you. If
20 it was going to be sequestered, I would have
21 certainly discussed that with you. Now, during
22 deliberations at the end, you know, we'll have to
23 discuss that, but at this time during the course of
24 the trial you will not be sequestered. Obviously, if
25 that was a concern -- and I understand some people

1 had talked about that before, if that was a concern,
2 I assure you we would have all discussed that ahead
3 of time and I would have let you know that that was
4 part of, part of what you were signing up for.

5 JUROR NUMBER 193: Okay.

6 THE COURT: Okay.

7 JUROR NUMBER 193: Thank you.

8 THE COURT: Okay.

9 MR. BROWN: Number 107?

10 juror number 107: Yes, I can do it.

11 MR. BROWN: Number 108?

12 JUROR NUMBER 108: Yes.

13 MR. BROWN: 114?

14 JUROR NUMBER 114: Yes, I can do.

15 MR. BROWN: 116?

16 JUROR NUMBER 116: Yes, I'm capable of sitting
17 on the jury and giving both sides a fair shot.

18 MR. BROWN: 122?

19 JUROR NUMBER 122: Yes, I feel like I can weigh
20 the evidence and come to a decision.

21 MR. BROWN: 124?

22 juror number 124: Yes, sir.

23 MR. BROWN: 125?

24 JUROR NUMBER 125: Yes, sir.

25 MR. BROWN: 126?

1 JUROR NUMBER 126: I've already said I could do
2 it, but I want to ask the Judge a question. You made
3 a good decision about everybody standing up when they
4 give their answers, I think that was a good decision
5 because I can't hear anything now and I don't know
6 whether I'm supposed to hear what everybody is
7 saying.

8 THE COURT: Okay. What's important is that
9 they can hear and that you can hear the attorney. I
10 assume you can hear the attorney. I haven't gotten
11 any complaints from them and I got the impression
12 people didn't really want to stand up so I wasn't
13 really making you do that.

14 JUROR NUMBER 126: Okay. I thought I'd mention
15 it.

16 THE COURT: Okay. As long as you can hear him,
17 we're good to go.

18 JUROR NUMBER 126:

19 MR. BROWN: 131?

20 JUROR NUMBER 131: Yes I can do in.

21 MR. BROWN: 136?

22 juror number 136: Yes.

23 MR. BROWN: 147?

24 JUROR NUMBER 147: Yes.

25 MR. BROWN: 156?

1 juror number 156: Yes.

2 MR. BROWN: Number 159?

3 JUROR NUMBER 159: I feel strange because I've
4 never really had to anything like this before, but
5 I'm capable and intrigued about everything in the
6 process. So, yes.

7 MR. BROWN: Thank you. Number 177?

8 JUROR NUMBER 177: Yes, I could.

9 MR. BROWN: Number (unintelligible)?

10 UNIDENTIFIED JUROR: Yes, I can.

11 MR. BROWN: 196?

12 JUROR NUMBER 196: Yes, I could.

13 MR. BROWN: 198?

14 JUROR NUMBER 198: Yes, I can.

15 MR. BROWN: 205?

16 JUROR NUMBER 205: Yes, sir, I believe I have
17 every capacity to serve equitably but I'm
18 apprehensive about the negative impact that it would
19 have on my family life and my personal life.

20 THE COURT: And let put this out, I'll do this
21 section by section.

22 (Thereupon, the proceedings were previously
23 transcribed)

24 THE COURT: Okay. If I could have a bench
25 conference, please?

1 (Thereupon, a benchside conference was had out
2 of the hearing of the prospective jury panel as follows:)

3 THE COURT: I didn't know that was going to
4 happen. You knew that better than I did.

5 MR. BROWN: Actually, I didn't know it either,
6 so.

7 THE COURT: No, I didn't know you were going to
8 stop so soon.

9 MR. BROWN: I'm sorry.

10 THE COURT: Do you want to wait until Monday to
11 start your questioning?

12 MR. LANNING: I would prefer it.

13 THE COURT: Okay. I'll give you that and then
14 I'll leave -- I'll tell 9, 17 and 105 to stay?

15 MR. BROWN: I didn't bring my list.

16 THE COURT: Those are the numbers -- is that
17 the same numbers everyone else has?

18 MR. MOORE: Yes.

19 THE COURT: 9, 7, 105.

20 MR. MOORE: Right.

21 MR. PIROLO: 17.

22 THE COURT: 9, 17, 105. Okay. And then the
23 rest of them I'll let them break and we'll be back
24 here at 8:30 in the morning. Okay?

25 MR. MOORE: Monday, great.

1 THE COURT: You want 8:30 or 9:00? How long do
2 you think you'll go?

3 MR. LANNING: Let's go 9:00 and I suspect I
4 would be through at the latest mid afternoon.

5 THE COURT: Well, you need to meet with your
6 jury consultant.

7 MR. MOORE: Well, she's in Jacksonville Monday
8 night but she can meet with us -- let me check with
9 her real quick.

10 THE COURT: Okay.

11 MR. PIROLO: She took a break.

12 THE COURT: Well, I'll just tell them -- we can
13 decide that on Monday. I'll have them come back at
14 9:00 on Monday. Is that easier?

15 MR. PIROLO: That works. Thank you.

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

18 (Thereupon, the proceedings were previously
19 transcribed.)

20 THE COURT: 17, did he stay? 17. Tell him
21 just to wait out there and we'll be with him in just
22 a minute. Number 17, if you'll wait outside, we're
23 going to call you in in just a minute. And 105, if
24 you'll go outside, we'll call you in in just a
25 moment, but don't leave please. No, you're staying

1 here. You get to go first. Okay. Please be seated.
2 Okay. Number 9, you talked about another case.

3 JUROR NUMBER 9: Yes.

4 THE COURT: And then -- and that was in the
5 context of being sympathetic with the family and the
6 victim.

7 JUROR NUMBER 9: Yes.

8 THE COURT: Can you tell me what other case
9 you're referring to?

10 JUROR NUMBER 9: Okay. There was a case here a
11 few years ago where there was a nurse from Holmes
12 Regional and someone sneaked up, they waited on her,
13 they beat her to death with a hammer and I remember
14 it was -- her name was Kelly Graham and they found
15 her beat to death on the beach and what it was, it
16 was -- it was estranged couple and she had -- they
17 had been in the process of getting a divorce, they
18 had once been friends and it was the man she was
19 dating, his wife, it was the mayor of Indialantic,
20 (unintelligible) public record. And I knew her
21 personally and I went to her funeral and, you know,
22 and that was, that was something I'll never forget,
23 you know, going to the funeral. I had never done
24 anything like that before, I never had anything like
25 that in my family and I thought that it would be --

1 it's only fair for me to bring that up because I feel
2 like I take jury seriously and I feel like that I
3 need to do my very best for everybody in the room,
4 you know, this responsibility, including the
5 defendant, and I think it's -- I think that's just
6 something that everyone needed to know because I am
7 is sympathetic and I'm afraid that, you know. I
8 mean, I can do all the things that you ask of me, you
9 know, looking at the wall and not like that and not
10 what I think it should be but what, you know, what it
11 is, I can, I can do all of those things and be fair
12 and look the evidence, but I feel like when we get to
13 the part of the trial where as far as punishment if
14 he was found guilty, I would feel like that that
15 experience in my life maybe, maybe would bias me
16 toward, you know, punishment and it would make me --

17 THE COURT: So, you say -- we talked the other
18 day about the guilt phase.

19 JUROR NUMBER 9: Yes.

20 THE COURT: With regard to what your duties
21 would be to deliberate and determine if the defendant
22 was guilty or not guilty of the four counts.

23 JUROR NUMBER 9: Yes.

24 THE COURT: You don't think you would have any
25 problems with that?

1 JUROR NUMBER 9: I would have no problem. I
2 mean, the evidence either says you're guilty or not
3 guilty, that's understandable, but when I --

4 THE COURT: Okay. But let me walk you through
5 this.

6 JUROR NUMBER 9: Okay.

7 THE COURT: So, then your concern is the
8 penalty phase?

9 JUROR NUMBER 9: I'm concerned with the
10 mitigating circumstances. I believe that just
11 knowing what's that like for a victim's family, I
12 feel like that I would have a hard time even looking
13 at anything like -- they had asked me like if there
14 was something like maybe abuse in the defendant's
15 past or if there was like testimony from a
16 psychologist or if like a brain scan, brain damage,
17 he would -- it would be very hard to even -- I think
18 that would lessen, you know, how much that I would
19 weigh that, you know, and how much like when we were
20 in the penalty phase.

21 THE COURT: Okay. The other day when we talked
22 about the process to do that you, have the
23 aggravating circumstances.

24 JUROR NUMBER 9: Yes.

25 THE COURT: And the State would present

1 evidence as to that.

2 JUROR NUMBER 9: Yes.

3 THE COURT: You have the mitigating
4 circumstances and the Defense would present evidence
5 to that.

6 JUROR NUMBER 9: Yes.

7 THE COURT: Then you go through a weighing
8 process.

9 JUROR NUMBER 9: Um-hmm.

10 THE COURT: It's up to you to decide how much
11 weight to give --

12 JUROR NUMBER 9: Give that.

13 THE COURT: -- any of the aggravating
14 circumstances, any of the mitigating circumstances.

15 JUROR NUMBER 9: Yes.

16 THE COURT: And then what we ask you to do is
17 whether you can consider both possible penalties.
18 It's a process that you we ask you to participate in,
19 do you think you can participate in that process and
20 then -- I mean --

21 JUROR NUMBER 9: I feel like that I can
22 participate in the process, but I do think that I
23 need to be honest that that experience would be
24 lurking around in there and I would remember that and
25 I would say yes, that would affect the way, the

1 way -- it might affect some of the decisions I would
2 make, yes.

3 THE COURT: Well, there will -- I anticipate
4 there's going to be what's call victim impact
5 statements.

6 JUROR NUMBER 9: Yes.

7 THE COURT: Did we talk about those with you
8 the other day?

9 JUROR NUMBER 9: I don't think you talked about
10 that, no.

11 THE COURT: Victim impact statements would be
12 statements from the family or -- such as family,
13 friends about how the death of Barbara Pill affected
14 them.

15 JUROR NUMBER 9: Um-hmm.

16 THE COURT: The instructions will tell you that
17 you can't consider victim impact statements as
18 aggravating.

19 JUROR NUMBER 9: Okay.

20 THE COURT: But you will hear those. It's part
21 of the process by law that victims are allowed to
22 give that statement. How would you feel about -- you
23 can't -- you can't consider those to be aggravating,
24 do you think you would consider those to be
25 aggravating?

1 JUROR NUMBER 9: I would do what, I would do
2 what you told me to do but I just believe that all
3 the sides each know that I had some strong feelings
4 about that case and, you know, that I knew the people
5 involved and. I would try my best to do what you
6 said, yes.

7 THE COURT: Okay. Because you're kind of
8 giving us mixed signals. You're saying I can do
9 what -- I can follow your instructions, Judge.

10 JUROR NUMBER 9: Yes.

11 THE COURT: You know, people do come in here
12 with other things that have happened in their life.

13 JUROR NUMBER 9: Um-hmm.

14 THE COURT: I mean, you know, we can expect
15 that. Like the one -- I mean, the older you are the
16 more decisions normally you have to make and the more
17 life experiences you have. So, we can expect you
18 not -- we don't expect you to be here and not have
19 had some things happen in your life that affected
20 you. What we ask you to do when you come here is to
21 follow my instructions, apply the law to your
22 decision making process.

23 JUROR NUMBER 9: Okay.

24 THE COURT: And follow those rules.

25 JUROR NUMBER 9: Okay.

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THE COURT: Now, if you say look, Judge, because of what's happened, I'm going to be bias in favor of the State in my decision making, that's one thing. If you say look, I've had this experience, I just want everyone to know but, Judge, I can follow your laws, that's another thing.

JUROR NUMBER 9: Okay.

THE COURT: So where do you think you are?

JUROR NUMBER 9: I'm closer to the second one that I can follow your laws, but I did believe that that is something that needs to be considered in looking at things.

THE COURT: Okay. Because you answered that in the response to -- and I haven't heard you -- you didn't say anything else today that would cause some concern, but you answered that in response to is there anything you think you need to tell us that you think we may need to know.

JUROR NUMBER 9: That was -- yes, I think that is something that you need to know.

THE COURT: Okay. Questions by the State.

MR. BROWN: No, Your Honor.

THE COURT: Questions by the Defense.

MR. LANNING: Juror 9, when you first asked about it you said you felt like that other experience

1 in your life would have an impact on how you would
2 consider mitigation evidence?

3 JUROR NUMBER 9: Um-hmm.

4 MR. LANNING: You were concerned enough about
5 that that you brought it to everybody's attention.

6 JUROR NUMBER 9: Yes.

7 MR. LANNING: Now, obviously, we want jurors to
8 have no preconceived notions or biases and the reason
9 for that is in order to have a fair trial. Do you
10 believe that you have that bias? That's not changed.

11 JUROR NUMBER 9: You know, I have a hard time
12 within this process to be asked questions, I'm afraid
13 to (unintelligible) something that I
14 (unintelligible). That's the reason I say that.

15 MR. LANNING: That's why you brought it up to
16 begin with.

17 JUROR NUMBER 9: To begin with that I do have a
18 reservation of how that.

19 MR. LANNING: The ideal is what the Judge is
20 talking about, being able to set aside those things,
21 but it was important enough to you that you don't
22 feel like you can do that, do you?

23 JUROR NUMBER 9: Without a hundred percent,
24 let's say that, no, I don't feel like that I can
25 because like if you're asking for a hundred percent

1 yes, I can do that, no, I can't a hundred percent.

2 MR. LANNING: And you also had situations where
3 you were concerned about your ability to, I believe
4 it was related to credibility of police officers or
5 something in relation -- I believe your husband is an
6 officer?

7 JUROR NUMBER 9: Was a military police officer
8 years ago.

9 MR. LANNING: And there was some concern about
10 that?

11 JUROR NUMBER 9: No, there was some concern
12 for -- one of the first questions was how much, how
13 much of the trial publicity and then the reason --
14 and then I thought it would be fair for me to know
15 that when this first happened, the event first
16 happened that I did -- I think I texted or e-mailed
17 him to tell him that there was a deputy that was shot
18 and it was just a few miles from where I work, you
19 know, and he -- and when we hear about that, no
20 matter, you know, it's in another part of country,
21 when we hear about a police officer being shot
22 (unintelligible). But I'm not -- I don't follow the
23 police. I'm not -- I never looked up anything on the
24 case or anything that wasn't on the TV. So, I know
25 I'm not -- I don't -- I'm not a law enforcement

1 follower or stuff like (unintelligible)?

2 MR. LANNING: Okay. But in relation, you know,
3 family may be and likely will be sitting throughout
4 this proceeding, or sitting in the courtroom
5 proceeding and that gives you cause or concern that
6 you would be biased in favor of the State? Not as to
7 guilt, I think you indicated --

8 JUROR NUMBER 9: Oh, I can -- the guilt or
9 innocence I have no problem with.

10 MR. LANNING: But if we go to a penalty phase,
11 that's where it becomes a problem?

12 JUROR NUMBER 9: Yes, sir, it would become a
13 problem.

14 MR. LANNING: All right. Judge, apparently
15 there's a stipulation.

16 THE COURT: Okay. Okay. Juror Number 9, I'm
17 going to release you from being considered as a juror
18 in this case.

19 JUROR NUMBER 9: Okay.

20 THE COURT: You have been released. If you'll
21 report downstairs to the jury assembly room, they'll
22 give you further information and send you on your
23 way.

24 JUROR NUMBER 9: Okay.

25 THE COURT: Okay.

1 (Thereupon, Juror Number 9 exited the
2 courtroom.)

3 THE COURT: Okay. Juror Number 9, just for the
4 record, has been released for cause. We can bring in
5 Juror Number 17.

6 (Thereupon, Juror Number 17 was escorted into
7 the courtroom by the court deputy and the proceedings were
8 had as follows:)

9 THE COURT: Okay. Juror Number 17, you talked
10 to us, you said there may be something that you think
11 would be -- that we needed to know that perhaps
12 should be discussed outside the presence of the other
13 jury members. So, this is your opportunity.

14 JUROR NUMBER 17: Well, since it's been about
15 two and half weeks since we went through the initial
16 part and the one thing that I guess didn't hit me
17 right away but after that day, the next day, after
18 that I kind of realized and it really bothered me, I
19 kind of feel as though I'm pretty much into the
20 questions but I guess maybe in case I do get selected
21 for the jury that I would want possibly to have a
22 better explanation than I could come up with and that
23 is during the questioning and all that, it seems like
24 there wasn't much time given to the judgment phase
25 and (unintelligible). It may have been just when

1 they were questioning me but an awful lot on the
2 penalty phase and I guess I kind of got the
3 impression is are they giving up on the sentence or
4 the penalty phase.

5 THE COURT: Giving --

6 JUROR NUMBER 17: Worried about that, which
7 doesn't make sense. I realized myself it doesn't
8 make sense but I guess I did think about it for a few
9 days and it kind of, you know, made me do a lot of
10 thinking and. I know there's probably a better
11 explanation than what I can come up on my own as to
12 why I got that impression why they put so much
13 emphasis on the sentencing phase.

14 THE COURT: The problem with this process is
15 that they don't get to talk to you again. There is a
16 guilt phase where the jury will decide the -- whether
17 the defendant is guilty or not guilty of four counts.
18 In the event there's a guilty verdict on Counts I,
19 then we go into the penalty phase and the problem
20 with the process is the State, nor the Defense, they
21 can't ask you all those questions. It's not like we
22 can do the first phase and then ask you all -- then
23 stop and then ask you all these questions and move
24 into the second phase, we have to use the procedure,
25 the law requires that we use the same jury for both

1 and so they kind of have to put -- and I think we
2 explained that a little bit and I think the Defense
3 explained that a little bit, they kind of have to put
4 the cart before the horse and it's all hypothetical.

5 In the event there is a guilty verdict on Count
6 I, then we move into the penalty phase. I assure you
7 that the guilt phase is as important to both parties,
8 both sides, the State and the Defense, as the penalty
9 phase and the penalty phase is only if we get there,
10 but the only time that we have an opportunity to ask
11 you about how you felt about all those things is now.

12 JUROR NUMBER 17: But I just wanted to clarify
13 in my mind in case I do get selected, I didn't want
14 that weighing on my mind that it's something that it
15 was a good opportunity to bring it up when all the
16 other jurors were here.

17 THE COURT: Well, I appreciate you being
18 conscious that that may bring up questions in other
19 jurors minds that we didn't want them to -- maybe
20 they don't those concerns and maybe they would after
21 you said it. So, I appreciate you bringing that up.
22 But now that I've explained that to you, do you have
23 any concerns now? Or you just wanted everyone to
24 know that that was your thought process?

25 JUROR NUMBER 17: Well, that that was my

1 thought process and I really felt that there was an
2 explanation that I wasn't seeing because it didn't
3 make sense for them to kind of, you know, forget the
4 first part of the trial and I just didn't want to be
5 swayed because of feeling that at one point in time I
6 fell like I kind of gave up on the --

7 THE COURT: Well, I think today they focused
8 more on the first part of the trial and the reason we
9 have to ask you those individually, and I did it in
10 the beginning, was because -- I did the knowledge of
11 the case and the death penalty in the beginning
12 because I knew that that would -- we would have to --
13 I mean, those are issues that may cause jurors not to
14 be fair and impartial. So, I did that in the
15 beginning rather than do -- we did that first and
16 then now we're kind of going back to where we would
17 normally go on a trial because I didn't want to
18 have -- there was -- you know, I knew that there
19 would be less numbers to do the other part now, less
20 numbers of jurors.

21 JUROR NUMBER 17: Okay.

22 THE COURT: So, we did that -- we kind of did
23 that first because I knew that there would be a lot
24 of people that would not be able to serve as a result
25 of those two issues, and that's not unusual in any

1 case when you have those type of issues. Does that
2 cause you any concern with regard to your service at
3 this time?

4 JUROR NUMBER 17: No, because I think that's
5 what it was, it didn't make sense to me that I was
6 feeling that way and be a good explanation for it and
7 I didn't want it to weigh on me. So, that's why I
8 wanted to talk about it so I understand it if I was
9 selected that that wouldn't be an influence.

10 THE COURT: Okay. Do you think -- now with
11 that explanation, would that be an influence on your
12 ability to serve?

13 JUROR NUMBER 17: No, I think I understand why
14 now.

15 THE COURT: Okay. State wish to inquire?

16 MR. MOORE: There was the other case, a similar
17 case that we didn't get into which I didn't realize
18 it was a similar case by this gentleman, that he was
19 on ten years ago.

20 JUROR NUMBER 17: Ten to twelve.

21 THE COURT: We didn't get into it because I
22 thought that was more appropriate for the -- I mean,
23 I didn't know it was a similar case. I knew he had
24 been on a jury before (unintelligible). If you want
25 to address -- talk to him about it now, you can.

1 MR. MOORE: Okay. Let me just follow up on the
2 Court's comments. The comparison I would make it to
3 is like wearing a seat belt, you know, and that is
4 you don't -- when you get in the car you don't plan
5 to get in a wreck, but if you do get in a wreck you
6 better have a seat belt. It's a precaution and you
7 may or may not need it and that's what I -- the
8 comparison that I make with spending as much time as
9 we did to add to what the Judge said.

10 JUROR NUMBER 17: Well, it's kind
11 (unintelligible) to make sure that I would make a
12 decision.

13 MR. MOORE: Right, and we've got to talk about
14 it. We may never get there but if we do we better
15 have talked about it.

16 Now, can you tell me, if you will, please,
17 about this other case that you were on ten years ago
18 that was similar.

19 JUROR NUMBER 17: It was, it was a murder
20 trial, there was two defendants, they had dropped the
21 death penalty for the male (unintelligible) and they
22 were both convicted.

23 MR. MOORE: But not for the female, they sought
24 the death penalty?

25 JUROR NUMBER 17: No, they didn't seek for

1 death for the female.

2 THE COURT: They went after the death penalty
3 for the male?

4 JUROR NUMBER 17: Right, they charged them both
5 with first degree murder.

6 THE COURT: And they were tried at the same
7 time, same trial?

8 JUROR NUMBER 17: They were going to try and
9 separate because of the death penalty but then they
10 joined trials.

11 MR. MOORE: You sat on that jury?

12 JUROR NUMBER 17: Yes.

13 MR. MOORE: Were you foreman of that jury?

14 JUROR NUMBER 17: No.

15 MR. MOORE: Did you reach a verdict?

16 JUROR NUMBER 17: Yes.

17 MR. MOORE: Anything about that experience,
18 similarities, of course, would be different maybe
19 some of the laws though.

20 JUROR NUMBER 17: It wasn't really that
21 similar, it was basically the murder of a two year
22 old and neglect and abuse. So, you know, totally
23 different circumstances.

24 MR. MOORE: Did you get to the penalty phase?

25 JUROR NUMBER 17: No, because they took the

1 death penalty off the table.

2 MR. MOORE: All right. So, anything about that
3 experience having sat on that jury that would give
4 you pause or any problems siting on this jury, this
5 murder?

6 JUROR NUMBER 17: No, it just -- like I said
7 earlier when you asked questions that we kind of had
8 two and a half weeks to think about it, I think
9 about -- because it's not a fun experience, you do
10 it, you do it because it's your right as a citizen
11 and I would not have a problem doing, but like I
12 said, when he asked about big decisions that I've
13 made (unintelligible) like I said for a couple of
14 months afterward, you think about it and it's
15 something that you've done that's very severe that's
16 affected two people for the rest of their life.
17 Every day I went over it I came up with the same
18 conclusion, did one thing (unintelligible). So, am I
19 sitting there, to be honest, hoping they convict him,
20 probably not, because it was (unintelligible).

21 MR. MOORE: All right. And so if what you hear
22 by way of what the law is -- what state was that?

23 JUROR NUMBER 17: It was here in this
24 courtroom.

25 MR. MOORE: In this building? Don't need to.

1 All right. So, did we address the issue of why we
2 spent so much time in the penalty phase in a way that
3 answered your question?

4 JUROR NUMBER 17: Yes.

5 MR. MOORE: So, you don't -- you're not
6 presuming anything that I spent all my time on.

7 JUROR NUMBER 17: No, I didn't, I think I
8 figured what I was thinking didn't make sense but I
9 wanted to come in and talk to you all so that it made
10 sense to me so that I wouldn't (unintelligible).

11 THE COURT: Maybe because you had been involved
12 in the process before and it was different. So, it
13 made you think about it.

14 JUROR NUMBER 17: It could be because there
15 wasn't no death penalty involved.

16 THE COURT: Okay.

17 MR. MOORE: Nothing else. No further
18 questions.

19 THE COURT: Okay. Juror 17, then you're
20 released. Report to the jury assembly room at 9:00
21 a.m. on Monday morning. Okay. See --

22 JUROR NUMBER 17: I'm just released for the
23 day?

24 MR. MOORE: You're just released for today.
25 See you Monday morning at 9:00 a.m.

1 JUROR NUMBER 17: Okay.

2 (Thereupon, Juror Number 17 exited the
3 courtroom.)

4 THE COURT: Okay. We can bring in 105.

5 (Thereupon, Juror Number 105 was escorted into
6 the courtroom by the court deputy and the proceedings were
7 had as follows:)

8 THE COURT: Okay. Juror Number 105, you said
9 that you -- there was a matter that you thought may
10 be more appropriate to discuss without -- with us
11 outside the presence of other jury members.

12 JUROR NUMBER 105: Yeah.

13 THE COURT: So, now's your opportunity.

14 JUROR NUMBER 105: Just something I
15 (unintelligible) I guess the way I perceive things
16 firsthand and just the line of questioning that we
17 went through the first time around and kind of my
18 take on the whole list of potential witnesses on how
19 it only seems like, and this is not a belief, it's
20 just, it just seems like that the whole case is
21 predicated on just proving the aggravation, it's
22 almost like the criminal part of the trial is almost
23 like a done deal. Do I -- do I -- does that mean
24 that would factor in a decision if I was on the
25 panel, no, it wouldn't, it's just my perception of

1 things up to this point and I just think you all
2 would want to know that and get it out there and not
3 have the other juror members hear what's going on up
4 there in my mind.

5 THE COURT: Okay. I appreciate that. One of
6 the problems with the case -- I mean, with the system
7 and the process is those questions have to be -- we
8 can ask you some questions in front of everyone else
9 and we can ask you -- some questions we asked you
10 individually because we didn't want it to prejudice
11 other peoples thinking by your answer, just like we
12 brought you in here and so we had to ask you about
13 the knowledge of the case and we had to ask you about
14 the death penalty individually. I did that first
15 instead of at the end because I knew that based on
16 this case and based on the fact that we were dealing
17 with the death penalty, that that may cause some
18 people not eligible to serve.

19 JUROR NUMBER 105: Right.

20 THE COURT: And so because it takes longer, I
21 mean, when you're dealing with a courtroom and people
22 are asking questions, it was -- I did that first in
23 order to kind of determine who was going to be here
24 and -- I knew that I would lose a lot of people in
25 that process and so I waited until the very end to go

1 through the second part of the trial, but today as
2 you saw we focused more on the first part of the case
3 as opposed to the second part of the case, and both
4 attorneys, the only time they were ever going to --
5 you know, the death penalty issue and the penalty
6 phase only comes into play in the event there's a
7 guilty verdict on Count I, but the Defense and the
8 State, they don't get another opportunity to question
9 you. They don't ever get an opportunity to question
10 you on those because the jury serves for both phases.
11 So, this was there opportunity to do this and they
12 took advantage of it because that was the time that
13 they had to, and because most people have strong
14 feelings about the death penalty. Some have very
15 strong feelings for and some have very strong
16 feelings against and we had to determine that, you
17 know, it's important.

18 JUROR NUMBER 105: And your explanation made
19 sense, it was --

20 THE COURT: Trying to put the cart before the
21 horse.

22 JUROR NUMBER 105: The main factor for
23 (unintelligible) was going to be that and so get it
24 out and be done with the first thing but to pick a
25 suitable set.

1 THE COURT: Right, to get those issues out I
2 did the hardship first, let's get that out there, the
3 length of this trial, let's get that out there.
4 Remember, I did that first.

5 JUROR NUMBER 105: You tried, there were some I
6 guess it just went shoo.

7 THE COURT: Right, and then they came up with
8 later with it, that's exactly what -- you can
9 understand my frustration. I'm glad I'm not the only
10 one that --

11 JUROR NUMBER 105: I don't know if you saw, I'm
12 just shaking my head like wow, where were they the
13 first time.

14 THE COURT: I know. Thank God it's Friday.

15 JUROR NUMBER 105: I tried so hard to say hey,
16 you know, this is what I want you to say, I'm about
17 to let you go, you just have to say it.

18 THE COURT: Right, you just have to say it.
19 So, I did that first because I knew that would
20 solicit a lot of responses based on the length of the
21 trial. And then we went ahead and did the individual
22 ones with the knowledge of the case and the death
23 penalty and then these were the ones that were left.
24 And so these are the ones we can do questions as a
25 whole group.

1 JUROR NUMBER 105: Yeah.

2 THE COURT: So, we kind of -- I mean, in
3 fairness that's my decision to do that and I kind
4 ever put the cart before the horse. It's not -- I
5 can understand why you may have thought that. Do you
6 think that in any -- now that you've heard the
7 explanation, I kind of --

8 JUROR NUMBER 105: I'm good, I'm good with
9 how --

10 THE COURT: Yeah, I just got those issues out,
11 those were the difficult issues, let's get those on
12 table, let's get them addressed.

13 JUROR NUMBER 105: These are main things that
14 we want to address really right now as opposed to,
15 you know, picking people at random, yeah, that's how
16 I want to thin out everything.

17 THE COURT: Right. And then as you heard
18 today, then we kind of went back to talking about the
19 charges, talking about, you know, weighing the
20 credibility of witnesses, the reasonable doubt,
21 things of that nature. So, we address -- then we
22 want back to kind of the beginning. In a normal
23 trial you would do all that first. And I say normal
24 trial, a trial where you don't have -- the death
25 penalty is not an issue.

1 JUROR NUMBER 105: Right. Right.

2 THE COURT: Okay. It's not every day we have a
3 death penalty case so I did that first. Any
4 questions or concerns?

5 JUROR NUMBER 105: No, I'm good.

6 THE COURT: Do you think that would in any way
7 affect your ability to serve --

8 JUROR NUMBER 105: With your explanation, no, I
9 don't think it would affect on me.

10 THE COURT: Okay.

11 JUROR NUMBER 105: It's all part of the
12 process.

13 THE COURT: Yeah, a decision that I made in
14 order to do that. Does the State have any questions?

15 MR. BROWN: No, Your Honor.

16 THE COURT: Does the Defense?

17 MR. MOORE: What about the statement that you
18 made about you're concerned about backlash in
19 reference to the sheriff's department and the family
20 and if the outcome wasn't to their liking how that
21 might reflect on you or your family?

22 JUROR NUMBER 105: Well, it's just it was
23 something that it was just rolling around in my head.
24 The -- some of our sheriff's officer here, and
25 they're great people, I'm getting to know them a

1 little bit, but they use to be on the street so. And
2 just, just knowing that, you know, and you don't know
3 what the department as a whole or the individuals of
4 the department are expecting in the form of justice,
5 their idea of justice, it's just there, you know.
6 Will it affect me, no, but it's just there, you know,
7 you wonder but --

8 MR. MOORE: Well, you included your family in
9 that.

10 JUROR NUMBER 105: That was 89, she said her
11 family.

12 MR. MOORE: You didn't say that.

13 JUROR NUMBER 105: I just said I agreed with
14 what she was touching on because it's just a thought
15 that was going around in my head.

16 MR. MOORE: And you're confident that your
17 concern about that, whatever is rolling around in
18 your head, it's different from what they expect the
19 outcome to be, they meaning the sheriff's department.

20 JUROR NUMBER 105: I don't know what they
21 expect.

22 MR. MOORE: I know you don't, I got that.

23 JUROR NUMBER 105: You just, you just, you just
24 thinking about hypotheticals, what if the outcome
25 were X and they expecting Y, would there be anything

1 and that's just really where it was.

2 MR. MOORE: Let me ask you right now. Are you
3 confident that whatever that concern is will not
4 affect the direction you go?

5 JUROR NUMBER 105: I am confident that it will
6 not affect me, just a thought that was rolling
7 around.

8 MR. MOORE: Nothing further. Thank you.

9 THE COURT: I was thinking about you and the
10 deputy been playing basketball.

11 JUROR NUMBER 105: Which one, him?

12 THE COURT: No, what you said -- you said
13 earlier today that one of the deputies --

14 JUROR NUMBER 105: It was Officer Cachiro. I
15 don't know if you know Cachiro.

16 THE COURT: No, you said that -- when you
17 brought that I thought about you playing basketball
18 with the deputy who came out to tell you guys the
19 music was too loud.

20 JUROR NUMBER 105: Yeah it was a local officer
21 from Satellite Beach and he was also one, we've taken
22 a friend home, me and my brother, from baseball
23 practice, he stopped -- he wanted to stop by
24 (unintelligible) house and she lived right by the
25 school and I guess we ran around the back, one of

1 neighbors was concerned and, you know, we're in the
2 house thinking nothing is wrong, nothing is -- it's
3 not a big deal (unintelligible) but the Satellite
4 Beach officer was in the house and like what are you
5 guys doing but it was all right.

6 THE COURT: It worked out. Okay. So, 105,
7 you're still being considered as a juror in this
8 case. I'm going to ask you to report back to the
9 jury assembly room at 9:00 a.m. on Monday morning.
10 Okay?

11 JUROR NUMBER 105: Yes.

12 THE COURT: Okay. Thank you, sir.

13 (Thereupon, Juror Number 105 exited the
14 courtroom.)

15 THE COURT: Okay.

16 MR. MOORE: Can we have a moment?

17 THE COURT: Yes.

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

20 MR. MOORE: Sorry.

21 THE COURT: That's okay.

22 MR. MOORE: Dr. Butler who is planning to meet
23 with an attorney in Jacksonville has to leave here at
24 5:00 on Monday and so she will be coming back, it
25 will be very late, and so the best time we would meet

1 would be Tuesday morning, but if that lawyer doesn't
2 get back with her and if she doesn't go up there
3 Monday and if Mr. Lanning gets done early on Monday,
4 then we can sit down (unintelligible), but the
5 problem is we don't know when Mr. Lanning will be
6 done. So, I would, I would say, you know, if we can
7 do it Monday and with all these contingencies, we'll
8 do it Monday afternoon or, you know, we'll break
9 (unintelligible), if not it will have to be Tuesday
10 morning.

11 THE COURT: Okay. Let's tentatively plan to
12 have the Defense do their questioning Monday, then
13 break and give the opportunity for them to confer
14 with their jury consultant. Then Tuesday morning at
15 8:30 do the --

16 MR. MCMASTER: Proffer hearing.

17 THE COURT: Proffer hearing. Have the jurors
18 come back at 10:00 a.m. and then do what we need to
19 do with them and then start the case. So -- but that
20 may change depending on how long Mr. Lanning takes to
21 do his questioning, but he'll have -- there won't be
22 anything else to do in the morning other than to
23 start with him at 9:00. I would think he would get
24 done around 3:00 for sure maybe. I don't know, I've
25 never seen him do a jury -- I can kind of predict --

1 MR. LANNING: I'm a very bad predictor of time.

2 THE COURT: I mean, that could be a tentative
3 schedule depending on what happens. If worst comes
4 to worst, we'll give you time to meet in the morning,
5 we'll do the proffer later and start the case after
6 lunch on Tuesday. So, that will be the second
7 schedule, one or the other. Does that sound -- can
8 everyone work that? I know Mr. Master has to gets
9 witnesses. So, put them -- just put them on -- no
10 matter when it will be Tuesday morning, it will
11 either be at 8:30 or it will be at 10:00. I'll give
12 you an hour and a half. Is an hour and a half
13 enough?

14 MR. MCMASTER: Um-hmm.

15 MR. MOORE: For us you mean? Sure, yes, it is.

16 MR. MCMASTER: Two of the witnesses are --
17 one's in Brevard County jail, it's Robert Marks, and
18 Miss Kirschner I believe is still in the Orange
19 County jail, I don't know that we did an order to
20 transport before when she was being brought here.

21 THE COURT: I don't think we do an order to
22 transport her because she's considered in our
23 custody. We just need --

24 THE COURT DEPUTY: I'll have to check and see
25 if she's coming here.

1 THE COURT: We need both of them Tuesday
2 morning. And he'll work on the other two. No matter
3 what, we'll call them Tuesday morning, it will be
4 either 8:30 or it will be 10:00 o'clock, somewhere
5 around there. Does that work?

6 MR. MOORE: Yes, ma'am.

7 THE COURT: Okay.

8 THE COURT DEPUTY : Can you just give us the
9 names, first name again?

10 MR. MCMASTER: Robert Marks, M-A-R-K-S.

11 THE COURT: Might want to check to make sure
12 there's not more than one Robert Marks. Mr. Brown.

13 MR. BROWN: The only other issue, and I realize
14 it's all kind of flexible, but I guess our preference
15 would be regardless of their timeframe to do the
16 hearing first and even if they still -- because we
17 have one witness who's in a wheelchair so we have to
18 get a transport company. That's my understanding.

19 THE COURT: Oh, I can see what you're saying,
20 we can do the hearing no matter what at 8:30.

21 MR. BROWN: Right, if they need to meet at
22 10:00 --

23 THE COURT: And then they could meet after the
24 hearing.

25 MR. BROWN: Right. It may delay the jury

1 longer or if they meet Monday the we'll just
2 (unintelligible) at 10:00.

3 THE COURT: Yeah, that -- we could do that. We
4 can do that. That's a good idea. We'll just do the
5 proffer hearing at 8:30 Tuesday morning no matter
6 what and we'll work around that depending on how
7 long, how long Mr. Lanning takes to do his
8 questioning.

9 MR. MOORE: That sounds like a threat.

10 THE COURT: He won't be able to hear that on
11 the transcript. All right. Those inflictions of
12 voice you can't hear on the transcript. So, I'll see
13 you at 9:00 a.m. on Monday morning. You all have a
14 good weekend too, everyone.

15 (Thereupon, court was in recess for the day
16 3/14/14. Thereafter, court was reconvened on 3/17/14 and
17 the proceedings were had as follows:)

18 THE COURT: Please be seated. Okay. We can
19 bring in Mr. Bradley.

20 (Thereupon, the defendant was escorted into the
21 courtroom by the court deputy.)

22 THE COURT: Okay. I received a note from the
23 jury clerk downstairs that Juror Number 42 has the
24 flu, went to the doctors, was told not to be around
25 people until Wednesday the 19th. He is supposed to

1 bring -- or fax us a doctor's note. So, I do expect
2 to receive that sometime this morning, but Juror
3 Number 42 will not be with us. I'm not going to
4 excuse him until I see the doctor's note.

5 Okay. Any preliminary matters that we need to
6 discuss on behalf of the State?

7 MR. BROWN: No, Your Honor.

8 THE COURT: Any preliminary matters on behalf
9 of the Defense.

10 MR. MOORE: No, Your Honor. Well, let me just
11 say this. We might have a scheduling problem with
12 one of my experts who had planned a long time ago to
13 move her elderly mother to California. So, she'll be
14 out of the State from April 7th to the 17th. We'll
15 talk to her in more depth tomorrow night and the
16 necessity (unintelligible). I can't (unintelligible)
17 filed it at this time, I'm not sure where we're going
18 to be.

19 THE COURT: Okay. What's the status of the
20 jury?

21 THE COURT DEPUTY: The first group's up, the
22 second group's on its way.

23 THE COURT: Okay. When they're up, let me
24 know. And we're still scheduled for the proffer
25 tomorrow morning at 8:30 from 8:30 to 10:00.

1 (Thereupon, a pause was taken in the
2 proceedings. Thereafter, the prospective jury panel was
3 escorted into the courtroom by the court deputy and the
4 proceedings were previously transcribed.

5 THE COURT: I didn't see a hand. Where's the
6 hand? Okay. Juror 126, yes, sir.

7 JUROR NUMBER 126: This past week my church
8 honored our pastor and the first lady for their
9 anniversary and we had a banquet on Saturday.

10 THE COURT: You had a what on Saturday?

11 JUROR NUMBER 126: A banquet.

12 THE COURT: Okay.

13 JUROR NUMBER 126: For the first lady and I was
14 at a table with about fifteen or twenty other
15 individuals and a conversation went down
16 (unintelligible) saying I wonder how so and so is
17 handling her grandson whose trial is going on for
18 murder, I don't remember her name, this is his
19 grandmother, and I realized that I didn't know it but
20 I haven't seen any of their (unintelligible), but
21 found out that his grandmother, which has a different
22 name, goes to my church and is [REDACTED]
23 her and her husband, two or three choirs really. Not
24 only that, [REDACTED] we bought a
25 home about five years ago, (unintelligible) fence and

1 [REDACTED] has done numerous work for my house free
2 of charge and sometimes he will see me outside trying
3 to cut grass and he would stop me and cut it and
4 (unintelligible). So, you can see that this is not
5 the place I should be.

6 THE COURT: Okay. I'm confused and perhaps I
7 missed something. Whose -- I don't know if you named
8 it and maybe we need to talk to you individually, but
9 whose grandson and whose grandmother? Maybe I missed
10 that.

11 JUROR NUMBER 126: This is her grandson.

12 THE COURT: Okay. So, the defendant is her
13 grandson?

14 JUROR NUMBER 126: Yes.

15 THE COURT: Okay. Okay. I missed that. I
16 didn't -- for some reason in that discussion I missed
17 that whole thing.

18 JUROR NUMBER 126: I didn't use no names so.

19 THE COURT: Okay. You didn't give me the name
20 of the grandmother and that's fine but I didn't
21 connect it with the defendant. So, the defendant's
22 grandmother is a member of your church and lives --

23 [REDACTED]
24 JUROR NUMBER 126: [REDACTED] and they're in my
25 [REDACTED] two or three choir for [REDACTED] and they're

1 very good friends [REDACTED] and I never know this
2 because the name's different.

3 THE COURT: Okay. Thank you for that.

4 MR. MOORE: Your Honor, can we approach?

5 THE COURT: Yes, you may.

6 (Thereupon, a benchside conference was had out
7 of the hearing of the prospective jury panel as follows:)

8 THE COURT: I didn't want to put this on the
9 record but I have a little bit of a cold, so.

10 MR. LANNING: We'll back up.

11 THE COURT: Just that I'd tell you that. I'm
12 having a little trouble hearing and I'm having a
13 little trouble talking loud, but other than that I'm
14 fine. Anyway. I'm not allowed to be excused for a
15 cold.

16 MR. MOORE: I think we should talk to him in
17 private about who this person is and what he has
18 heard, what he heard at the table and what he got
19 from his neighbors and all that.

20 THE COURT: Okay. So, I'll tell him that when
21 we take a break we'll speak with him in private.

22 Okay. Thank you.

23 (Thereupon, the benchside conference was
24 concluded and the proceedings were previously
25 transcribed.)

1 MR. LANNING: Juror 4?

2 JUROR NUMBER FOUR: Yes, sir.

3 MR. LANNING: Sheet indicates lifetime resident
4 of Brevard.

5 JUROR NUMBER FOUR: That's correct, yes, sir.

6 MR. LANNING: In Titusville?

7 JUROR NUMBER FOUR: Born and raised, yes, sir.

8 MR. LANNING: What's your degree in?

9 JUROR NUMBER FOUR: Bio-vocational training in
10 electrical systems, yes, sir.

11 MR. LANNING: And your children's ages and
12 occupations?

13 JUROR NUMBER 40: I have no children, sir.

14 MR. LANNING: Are you, are you married?

15 JUROR NUMBER FOUR: No, sir.

16 (Thereupon, the proceedings were previously
17 transcribed.)

18 MR. MOORE: Sir, you indicated that the
19 toughest is decision was during an incident involving
20 a child --

21 JUROR NUMBER FOUR: I do (unintelligible)
22 child.

23 MR. LANNING: Now, when you say child are we
24 taking teenager?

25 JUROR NUMBER FOUR: Probably ten or eleven

1 years old.

2 MR. LANNING: Okay. Was there any indication
3 of individuals planning out things or?

4 JUROR NUMBER FOUR: I don't know what the
5 individual was planning, sir, I just heard my
6 (unintelligible).

7 MR. LANNING: And when you confronted him?

8 JUROR NUMBER FOUR: Yes.

9 MR. LANNING: Did he take off running or?

10 JUROR NUMBER FOUR: He was startled. No, sir,
11 he didn't move, I went around to the back of the
12 house from the front and I brought him to his parents
13 house.

14 MR. LANNING: Thank you. Juror Number 5.

15 (Thereupon, the proceedings were previously
16 transcribed).

17 MR. LANNING: Juror Number 11, your sheet
18 indicates sixteen years in Florida, where are you
19 from?

20 JUROR NUMBER 11: Maryland, prior to that
21 Florida, and prior to that Pennsylvania.

22 MR. LANNING: And your educational background?

23 JUROR NUMBER 11: AS and AA.

24 MR. LANNING: What in?

25 JUROR NUMBER 11: (Unintelligible).

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MR. LANNING: And what brought you down to Florida this time, a job or?

JUROR NUMBER 11: Work.

MR. LANNING: Number 13, prior education?

JUROR NUMBER 13: Two years.

MR. LANNING: In what?

JUROR NUMBER 13: Education.

MR. LANNING: Where are you from?

JUROR NUMBER 13: Originally?

MR. LANNING: Yes.

JUROR NUMBER 13: England.

MR. LANNING: Sorry?

JUROR NUMBER 13: (Unintelligible), England.

MR. LANNING: And when did you immigrate?

JUROR NUMBER 13: 1978.

MR. LANNING: Were you an adult at that point?

JUROR NUMBER 13: Just turned an adult, my stepfather was military.

MR. LANNING: Is your wife employed outside the home?

JUROR NUMBER 13: No, she doesn't have to be.

MR. LANNING: I'm sorry?

JUROR NUMBER 13: She doesn't have to be.

MR. LANNING: And your sheet indicates three children.

1 JUROR NUMBER 13: Yes, she has three. No, she
2 has four, I have three.

3 MR. LANNING: Adult -- any adults?

4 JUROR NUMBER 13: Mine are all adults.

5 MR. LANNING: And what type of work do they do?

6 JUROR NUMBER 13: My oldest son is a soon to be
7 warrant officer training in the US Army, my youngest
8 son is incarcerated with the Brevard County sheriff,
9 and my daughter, she doesn't have a job yet.

10 MR. LANNING: Your wife's children, are they
11 all under eighteen?

12 JUROR NUMBER 13: No, one is over eighteen
13 (unintelligible).

14 MR. LANNING: Is she employed outside?

15 JUROR NUMBER 13: No, she goes to college,
16 she's at University of South Florida.

17 MR. LANNING: Any political affiliation?

18 JUROR NUMBER 13: I'm registered republican but
19 I'm more independent now.

20 MR. LANNING: Okay. And are you a member of a
21 church?

22 JUROR NUMBER 13: No, I'm not, I have practiced
23 because my wife's Catholic.

24 MR. LANNING: All right. Any clubs or
25 organization?

1 JUROR NUMBER 13: I just got done with Palm Bay
2 youth soccer which I do for (unintelligible).

3 MR. LANNING: You just got done, how come?

4 JUROR NUMBER 13: I'm tired of the parents. I
5 use to coach a lot. I use to be (unintelligible)
6 coach and just got tired of the parents. I coached
7 Bayside High School. Other than that, I just help my
8 wife with Meals on Wheels.

9 MR. LANNING: Do you have a regular route?

10 JUROR NUMBER 13: She does.

11 MR. LANNING: Sir, any clubs or organizations?

12 UNIDENTIFIED JUROR: No.

13 MR. LANNING: Political affiliation?

14 UNIDENTIFIED JUROR: Democrat.

15 MR. LANNING: Member of a church?

16 UNIDENTIFIED JUROR: No.

17 (Thereupon, the proceedings were previously
18 transcribed.)

19 MR. LANNING: Sir.

20 UNIDENTIFIED JUROR: Yes, sir, I'm a registered
21 Republican.

22 MR. LANNING: And you're also actively involved
23 in the church?

24 UNIDENTIFIED JUROR: The church, yes, sir, I
25 am. And the other question, organizations, I'm a

1 life member of the National Rifle Association.

2 MR. LANNING: Do you own a firearm?

3 UNIDENTIFIED JUROR: Yes, sir.

4 MR. MOORE: You do?

5 UNIDENTIFIED JUROR: Yes.

6 MR. LANNING: All right. Other members in the
7 front row own firearms?

8 UNIDENTIFIED JUROR: I did, I got rid of it.

9 MR. LANNING: May I ask why?

10 UNIDENTIFIED JUROR: I got rid of it two and
11 half years ago because my wife (unintelligible).

12 MR. LANNING: Not a lock box strong enough
13 sometimes.

14 UNIDENTIFIED JUROR: Lot of curiosity at
15 twelve.

16 MR. LANNING: Right. Juror 14, your sheet
17 indicates that you lived in Brevard County for fifty
18 years?

19 JUROR NUMBER FOURTEEN: Yes.

20 THE COURT: Are you a life time resident?

21 JUROR NUMBER FOURTEEN: Pretty much, I came to
22 Florida when I was nine.

23 MR. LANNING: Where from?

24 JUROR NUMBER FOURTEEN: Morgan, Georgia.

25 MR. LANNING: And retired Space Center manager?

1 JUROR NUMBER FOURTEEN: Yes, sir.

2 MR. LANNING: What's your educational
3 background?

4 JUROR NUMBER FOURTEEN: High school.

5 MR. LANNING: And is your wife employed?

6 JUROR NUMBER FOURTEEN: No, she's retired.

7 MR. LANNING: And what she retired from?

8 JUROR NUMBER FOURTEEN: Deputy sheriff.

9 MR. LANNING: Sir?

10 JUROR NUMBER FOURTEEN: Deputy sheriff.

11 MR. LANNING: Was that here in Brevard County?

12 JUROR NUMBER FOURTEEN: Yes, sir.

13 MR. LANNING: May I ask her name?

14 JUROR NUMBER FOURTEEN: [REDACTED]

15 MR. LANNING: [REDACTED] And did she work the
16 road?

17 JUROR NUMBER FOUR: Sometimes.

18 MR. LANNING: What else?

19 JUROR NUMBER FOURTEEN: Mostly courthouse.

20 MR. LANNING: Mostly courthouse. Did you, did
21 you know any of the names that were read?

22 JUROR NUMBER FOURTEEN: I don't know any of
23 them (unintelligible).

24 MR. LANNING: Does she keep up with any of her
25 former colleagues?