

IN THE CIRCUIT COURT FOR PRINCE GEORGE'S COUNTY, MARYLAND

STATE OF MARYLAND

vs.

Criminal Trial 07-1664X

KEITH A. WASHINGTON,

Defendant.

/

REPORTER'S OFFICIAL TRANSCRIPT OF PROCEEDINGS

(Trial on the Merits)

Volume I of IX

Upper Marlboro, Maryland

Monday, February 11, 2008

BEFORE:

HONORABLE MICHAEL P. WHALEN, Associate Judge

APPEARANCES:

For the State of Maryland:

WILLIAM D. MOOMAU, ESQUIRE
JOSEPH L. WRIGHT, ESQUIRE
RAEMARIE ZANZUCCHI, ESQUIRE

For the Defendant:

VINCENT H. COHEN, JR., ESQUIRE
MICHAEL STARR, ESQUIRE

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P R O C E E D I N G S

1
2 THE DEPUTY CLERK: Criminal trial 07-1664X, State
3 of Maryland versus Keith A. Washington.

4 MR. MOOMAU: Good morning, Your Honor. William
5 Moomau present for the State.

6 MR. WRIGHT: Joseph Wright on behalf of the State.

7 MS. ZANZUCCHI: Raemarie Zanzucchi on behalf of the
8 State.

9 MR. COHEN: Good morning, Your Honor. Vincent H.
10 Cohen, Jr. on behalf of Keith Washington.

11 MR. STARR: Good morning. Michael Starr, also for
12 Mr. Washington, who is present.

13 MR. COHEN: Your Honor, may I introduce Mr. Carlos
14 Ramirez? He is a paralegal from our law firm, and he'll be
15 sitting in with us.

16 THE COURT: That's fine, Mr. Ramirez. Thank you.
17 Good morning.

18 Number one, I thank you for coming in early so that
19 we can go over the voir dire before we lose the prospective
20 jury panel to another trial. We have two or three large
21 trials, relatively speaking, going on today.

22 I apologize to Madam Reporter. She is the only one
23 I didn't notify that we were starting early today, and she
24 managed to get here relatively quickly.

25 I know that, Mr. Starr, you faxed to Mr. Moomau

1 some suggestions with regard to two or three of the voir dire
2 questions.

3 MR. STARR: Yes.

4 THE COURT: And you were kind enough to provide
5 those to me as well, and you withdrew objections to, I
6 believe, two, if I recall.

7 MR. STARR: That's correct.

8 THE COURT: I'm going to go over those now just to
9 make sure that we're all on the same page.

10 If we look at defense voir dire, I thought we'd
11 start there and put it on the record. With regard to defense
12 question number 1, it appears to me that that's covered in
13 State's number 2.

14 In defense number 2, it appears to me that's
15 covered in State's 3.

16 In defense 3, it appears to me that's covered by
17 State's question number 1.

18 Number 4 is not covered by the State, so I intend
19 to give your number 4, defense number 4.

20 Defense 5 seems to be covered by State's number 3.

21 Defense number 6 doesn't seem to be covered by the
22 State, so I intend to give your number 6.

23 In terms of defense number 7, I am going to give --
24 I think I have already put that into the State's. Let me
25 check. Yes, I've incorporated your number 7 into State's

1 number 9, but I used your wording, defense.

2 Defense number 8 and number 9 seems to be covered
3 by State's number 5.

4 Defense number 10 seems to be covered by State's
5 number 4.

6 Your 11 is not covered by the State, so I intend to
7 give your number 11.

8 And as I recall our conversations on late Friday,
9 as to your number 12, I decline to give that voir dire
10 question.

11 I am giving defense number 13, with a change to it,
12 and that is, to read into the record, "Are there any of you
13 on this prospective jury panel who have such strong feelings
14 about guns that you would be unable to render a fair and
15 impartial verdict based solely on the evidence to be
16 presented in this case?"

17 Your number 14, again, I changed to some extent but
18 it's essentially the same, and that is, "Do any of you have
19 such strong feelings about homicide that you would be unable
20 to render a fair and impartial verdict based solely on the
21 evidence to be presented in this case?"

22 As to defense number 15, it's not covered by the
23 State and I intend to give it, but I am removing the last
24 sentence, and that is "have any of you ever volunteered for
25 such a group or organization," but I will give the body of

1 your number 15.

2 As to defense number 16, I believe that your 13
3 covers that, which I intend to give.

4 With regard to defense number 17, I believe that
5 your 13 and 14, as I propose to give it, covers that area.

6 And with regard to number 18, I believe number 13
7 and 14, would cover that as well.

8 Defense number 19, I believe the State's number 7
9 covers that question.

10 And in terms of defense number 20, 21 and 22, I
11 believe those are matters for instruction and, in any event,
12 they are covered in State's -- I think it's State's 19, and
13 that is the one that says "are there any other reasons
14 whatsoever that" -- but they are the subject matter of
15 instruction and I will instruct on those issues.

16 With regard to number 23, I believe that that's a
17 subject of an instruction as well, and I believe that that
18 would also be covered on number 19, which is "do you have any
19 other reason whatsoever."

20 In terms of defense voir dire number 24, I believe
21 that's covered in State's number 1.

22 In your number 25, I believe that's a subject for
23 an instruction, and I also believe that that's covered in
24 number 19.

25 I intend to give your number 26.

1 Your number 27, I believe, is actually covered in
2 State's 6, 7, 8, and 9, as amended, to some extent, by your
3 suggestions, which we'll go over in a minute.

4 Your number 28 I believe is covered in State's 6,
5 7, 8, and 9 as well.

6 And your number 29 I believe is covered in your
7 number 7, which we will use.

8 Number 30 I believe is covered adequately in
9 State's number 12.

10 I intend to give your number 31.

11 And I believe in number 32 and number 33, I believe
12 that's a subject -- both of those are the subject of
13 instruction and, at least on this point as well, there is no
14 issue been generated, although I am going to assume that it
15 will be, but I believe that that's a subject of instruction.
16 And I also believe that that, in all likelihood, will be
17 covered by State's number 19.

18 Would you like me to go over the State's first,
19 before we go over any exceptions that you may have?

20 MR. MOOMAU: Yes, please.

21 THE COURT: For those that I already mentioned to
22 you that I intend to use, that would cover your instructions,
23 I have changed State's number 5 to read, "Has any member of
24 the prospective jury panel, member of their immediate family
25 or a close, personal friend ever been employed by any

1 federal, state or local law enforcement agency, or by a firm
2 or agency that represents or provides services to persons
3 charged with committing a crime, or any other institution
4 connected to the criminal justice system?" That was a
5 combination of the State and your request with regard to
6 that.

7 I'm using State's 6 and 8, which I believe you
8 withdrew objection to by e-mail.

9 And I have amended number 7 in light of your
10 suggestion, and that was, "does any member of the panel hold
11 any general beliefs or opinions about Prince George's County
12 police officers," and we'll take those answers at the bench.

13 Number 9 I have amended, and I believe that that's
14 your number 7. That is, "Is there any member of the jury
15 panel who would give the testimony of a police officer
16 greater weight because he is a police officer?"

17 I intend to give number 10. Although it talks
18 about instructions, it doesn't give them.

19 State's 11, 12, 13, I intend to give.

20 I believe number 14 is the subject of an
21 instruction.

22 Now, I didn't see, in your e-mail yesterday, about
23 number 15, about maintaining an objection to that. So I
24 needed to ask you about number 15.

25 MR. MOOMAU: We do maintain our objection to that,

1 Your Honor.

2 THE COURT: Now, is my understanding correct that
3 there is going to be -- and you would have to tell me --
4 there is going to be the submission of some scientific
5 evidence in this case?

6 MR. MOOMAU: Yes, Your Honor.

7 THE COURT: From both sides?

8 MR. MOOMAU: Yes.

9 THE COURT: As it may be intended?

10 MR. STARR: Yes.

11 THE COURT: And once again, since I don't know, is
12 there going to be a submission of DNA evidence of some sort?

13 MR. MOOMAU: Yes.

14 MR. STARR: Yes.

15 THE COURT: Any other kind of scientific evidence?

16 MR. MOOMAU: Firearms, clothing -- examination of
17 clothing items for gunshot residue, fiber transfer.

18 THE COURT: Then I don't think number 15 is the
19 subject of a question on voir dire that's necessary and I'm
20 not going to give it.

21 I intend to give State's 16.

22 I do not intend to give State's 17.

23 I believe State's 18 is the subject of instruction.

24 And, on State's 19, I have added the word "is there
25 any other reason whatsoever why you do not think that you can

1 sit as a juror in this case and return a fair and impartial
2 verdict based solely on the evidence presented in this
3 court."

4 I'm going to ask two other questions, if you don't
5 mind and if you don't have exceptions, and they are "is there
6 any member of the prospective jury panel who is not a
7 resident of Prince George's County," and "is there any member
8 of the prospective jury panel who is not a U.S. citizen."

9 Believe it or not, in my experience, that has
10 happened on occasion, so I'm asking those questions.

11 I'll take your exceptions, if you have them.

12 MR. STARR: The only thing, Your Honor, is that on
13 question number 9 --

14 THE COURT: Of your voir dire?

15 MR. STARR: Of yours. Question number 9 as you
16 stated you intended to read it.

17 THE COURT: The "is there any member of the jury
18 panel who would give the testimony of a police officer
19 greater weight because he is a police officer"?

20 MR. STARR: Yes.

21 THE COURT: Isn't that your suggestion?

22 MR. STARR: It is. It makes this a little bit
23 awkward, but the State -- we didn't object to their 9 and I
24 think that --

25 THE COURT: You want their number 9?

1 MR. STARR: Either their language or greater or
2 lesser weight, rather than just greater weight.

3 THE COURT: Okay. So I'll change it back to "is
4 there any member of the jury panel who is more likely or less
5 likely to believe a witness because that witness is a law
6 enforcement officer?"

7 MR. STARR: Yes, Your Honor.

8 THE COURT: Okay. No other exceptions?

9 MR. STARR: No, Your Honor.

10 MR. MOOMAU: Your Honor, just one. As far as 17 --

11 THE COURT: Your 17?

12 MR. MOOMAU: Well, I'm not going to go into detail
13 about that. Eighteen is the one that I just wanted to talk
14 about.

15 I know there is a jury instruction dealing with how
16 a jury is supposed to consider and evaluate convictions in
17 dealing with credibility, but I think it's important to know,
18 up front, if there are any jurors who would be predisposed
19 not to believe a person just because they have criminal
20 convictions.

21 THE COURT: I'm assuming you're maintaining your
22 objection?

23 MR. STARR: We do maintain the objection, Your
24 Honor.

25 THE COURT: With regard to number 18, I don't

1 intend to give 18. It's going to be the basis of an
2 instruction that I will give.

3 THE COURT: We're not going to be able to get the
4 jury until nine. So if you'd like to -- but I'm going to
5 have them -- that's correct, right?

6 THE BAILIFF: Yes.

7 THE COURT: That's what I've been told anyway. So
8 if you'd like just to take a brief break. At nine o'clock
9 I'm going to ask Sheila to go down and bring the jury up. I
10 believe that they're already lining them up. Candice asked
11 for them to line them up by nine, correct?

12 THE LAW CLERK: 8:30.

13 THE COURT: You're kidding. You did? Would you
14 prefer to start at nine, or would you prefer to start right
15 now? I'll leave it up to you.

16 MR. COHEN: We'll, wait until nine, Your Honor.

17 MR. STARR: Your Honor, is there a copy of the
18 questions as the Court intends to --

19 THE COURT: I will have to make copies for you, and
20 you'll have to be able to read my writing, but I will do that
21 for you.

22 Two things I might want to just recall for the
23 record. In my chambers on Friday I felt I couldn't respond
24 to one of the issues you had raised in limine because I had
25 not been asked to take judicial notice of a copy of a grand

1 jury transcript that related to the testimony of Mr. White,
2 and you gave me that ability to read it. I did read it and
3 then we did respond, I think. Did you get a copy of that,
4 Mr. Moomau?

5 MR. MOOMAU: Yes, yes, I did, Your Honor.

6 THE COURT: We did respond to that. The only other
7 thing I recall that was a little bit outstanding is on the
8 State's not intending to use statements made by the defendant
9 in their case in chief, and I knew that you withdrew your
10 motion on an initial statement, my understanding was, and
11 then I said that if you had any difficulties -- I believe
12 there was a second statement? Am I correct on that?

13 But I do know that there is nothing on the record
14 about the withdrawal on any other statement. Because we
15 cancelled the hearing, and I said is there going to be any
16 necessity for a voluntariness hearing, and I never heard back
17 from anyone.

18 So for purposes of the record, have you formally
19 withdrawn your motions in any statements that may have been
20 made, that you were apprised of by the State, to any law
21 enforcement officers?

22 MR. STARR: Yes. The motion that we filed and we
23 set the hearing date, yes, I believe that has been withdrawn.

24 THE COURT: And there's going to be no need for any
25 voluntariness hearing? That was the second part of that. I

1 knew that you said you were going to withdraw but you wanted
2 time to look at it. And there is nothing back on the record,
3 formally, about that.

4 MR. STARR: There is no need for voluntariness,
5 Your Honor.

6 THE COURT: Thank you. Then I think that's all we
7 need to place on the record and we'll be back at nine.

8 (A brief recess was taken.)

9 MR. MOOMAU: Your Honor, could we approach? It
10 doesn't have to be on the record.

11 (Counsel approached the bench and a discussion was
12 held off the record.)

13 (Counsel returned to trial tables and the following
14 ensued.)

15 MR. MOOMAU: Your Honor, Brandon Clark's mother,
16 Marilyn Clark --

17 THE COURT: We've asked the jury to come in, so
18 maybe we ought to come up to the bench. Sorry about that.

19 (Counsel approached the bench and the following
20 ensued.)

21 MR. MOOMAU: Your Honor, Marilyn Clark, Brandon
22 Clark's mother, is in the courthouse. I informed her today
23 that we would be picking a jury. I told her there really
24 wasn't any reason for her to come; that there would be no
25 testimony today or opening statements. She just said she had

1 to be here. So she is outside. She wants to come in and
2 just watch everything that takes place, and I just wanted to
3 let everyone know that.

4 THE COURT: Okay.

5 MR. STARR: And we object to it, Your Honor. One,
6 as the Court knows, she's going to be a witness in the trial,
7 and I think that it's a rule on witnesses problem to have her
8 present for jury selection.

9 Also she's been -- understandably, but has been
10 emotional. The Court saw that she was emotional when she
11 testified at the hearing we had about the dying declarations
12 issue, and I think that it raises an issue of prejudice to
13 have the decedent's mother, especially when she's going to be
14 a testifying witness, present for jury selection, potentially
15 influencing the jurors as we're selecting them.

16 THE COURT: Well, number one, I don't believe she's
17 going to be identified to the prospective jury panel that she
18 is even or would even be in the courtroom, and as long as she
19 is away from members of the jury, and I'm going to hold the
20 State responsible for that.

21 I don't know how much space we're going to have in
22 here. Number one, we're bringing in 150 jurors. So we'll
23 have to see what it is that we may or may not have available.

24 But it would be my belief that nothing is going to
25 come out in voir dire, as I see the questions, that may

1 relate to any testimony that's going to take place in the
2 trial for which she would be knowledgeable or cognizant
3 about.

4 What is it that you intend to have her testify
5 about?

6 MR. MOOMAU: She's going to testify, of course,
7 about, you know, Brandon being her son, approximately when he
8 went to work for Marlo or as a delivery person for Marlo, of
9 course, that he was raised in her home, how she found out
10 about, you know, when he was shot, and that would be pretty
11 much it. And a picture. We were going to try to get in a
12 picture.

13 THE COURT: And she has been selected by the
14 family, as I understand it, to be the representative of the
15 family in attendance during the crux of the trial; is that
16 correct?

17 MR. MOOMAU: I don't know that there was any formal
18 selection, but she is the one that I've dealt with
19 throughout.

20 THE COURT: She is the one intended to be the
21 representative, as best you understand?

22 MR. MOOMAU: That's correct, yes.

23 THE COURT: Well, number one, if we do have space
24 for her in accordance with the victims rights statute and she
25 is not identified to anyone and she is apart, so to speak,

1 from the prospective panel members and doesn't react,
2 actively respond to anything that's going on, then I think
3 that would not be a violation of the rule on witnesses, as I
4 understand the statute, and it poses no problem.

5 However, if I even see her change expression on her
6 face or react emotionally, which she may do, then I will call
7 you to the bench and ask that you have her leave. I don't
8 know that there's anything else I can do.

9 MR. STARR: Actually, there were two other motions
10 that I think were outstanding. One was the live photo of the
11 decedent Mr. Clark.

12 THE COURT: We're not going to be able to do those
13 today.

14 MR. STARR: I just wanted to bring it to the
15 Court's attention. The other was there was an issue
16 regarding the toxicology, and we would want that ruled on
17 before the opening statements.

18 THE COURT: Absolutely.

19 MR. STARR: Oh, the hearsay issues as well.

20 MR. COHEN: And the sexual registry.

21 MR. STARR: Yes, that's true.

22 THE COURT: Which one?

23 MR. COHEN: The sexual registry.

24 THE COURT: Yes. The ones I'm concerned with are
25 the toxicology. Because I'm assuming that one of the

1 witnesses in your case in chief, initially, will be
2 Mr. White.

3 So we need to resolve the toxicology setting, the
4 setting with respect to cross-examination as to registration
5 to create favor with the State, and the photograph at some
6 point in time. At least those three we need to do before
7 Mr. White takes the stand.

8 MR. MOOMAU: I had instructed Mr. White to come
9 this afternoon in the hope that we can get that resolved.

10 There was one other thing that we talked about
11 Friday about Ms. Clark. The defense may call a witness about
12 a specific incident dealing with Brandon and a female and
13 Ms. Clark does have knowledge of that. In fact, she spoke
14 with that particular female. I thought we had agreement that
15 if that witness does testify for the defense, Mrs. Clark will
16 step out of the courtroom. But, otherwise, after she
17 testifies -- she's going to be the first witness -- she could
18 sit and watch the trial.

19 MR. STARR: Based on what the Court had said about
20 the statute, I mean, if --

21 THE COURT: Again, as long as she's not reacting to
22 anything that takes place and isn't expressing any emotion or
23 setting before the jury, I think that will be fine.

24 MR. STARR: Actually, I do want the record to be
25 clear. Since this was talked about in chambers, I don't want

1 to be cryptic. We do object to her presence --

2 THE COURT: I understand.

3 MR. STARR: -- at all times, unless she's on the
4 witness stand, testifying, based on the rule on witnesses and
5 the prejudice that we think arises from her presence.

6 THE COURT: I understand.

7 MR. COHEN: One more, Your Honor. I believe there
8 is a motion to exclude hearsay statements that I believe
9 needs to be ruled on prior to Mr. White testifying.

10 THE COURT: We don't have to worry about that
11 today, since we're only picking the jury, and I know that
12 that's outstanding and I haven't looked at that yet.

13 MR. MOOMAU: Well, there will be witnesses
14 necessary to lay the foundation to get that in. I promise
15 not to mention anything.

16 THE COURT: You'll all have to exercise your own
17 discretion in that light.

18 MR. MOOMAU: Those witnesses won't be here until
19 they testify, but I would not say anything about that.

20 THE COURT: Thank you.

21 (Counsel returned to trial tables and the following
22 ensued.)

23 (The jury panel enters the courtroom at 9:10 a.m.)

24 THE COURT: Bear with us, ladies and gentlemen.

25 Good morning, ladies and gentlemen. Thank you all very much

1 for being prompt this morning. We appreciate it.

2 Madam Clerk, would you please swear the prospective
3 panel.

4 (Jury panel sworn.)

5 **VOIR DIRE EXAMINATION OF JURORS**

6 THE COURT: Ladies and gentlemen, I am Judge
7 Michael Whalen, and you have been called to this courtroom
8 this morning to determine whether or not you will be selected
9 to serve as jurors in a criminal trial that we have scheduled
10 for today. Because you have had an opportunity to view the
11 jury orientation film, you know that we do that by what is
12 called voir dire examination.

13 But to serve as a reminder, voir dire examination
14 is for the purpose of determining if your decision in this
15 case would in any way be influenced by opinions that you now
16 hold or by some personal experience or special knowledge that
17 you may have concerning the subject matter to be tried.
18 Please understand that these questions are not for the
19 purpose of prying into your affairs for personal reasons, but
20 are only for the purpose of obtaining an impartial jury.

21 In this regard, the attorneys have asked me to ask
22 you a few questions. We are going to ask those questions to
23 you as a panel of the whole and, if any one of you has a yes
24 or an affirmative response to any of the questions that we
25 ask, we're going to ask you to please stand. We will then

1 call upon each of you in turn. The first thing you need to
2 do is to give us your juror identification number from the
3 card provided to you by the jury commissioner's office, and
4 then your response to that specific question.

5 If I believe that any of your answers should be
6 held confidentially, then we will take your answer at the
7 bench, outside the presence of your fellow jurors. If I do
8 not make that response and you believe your answer should be
9 held confidentially at the bench, you make that request and,
10 again, we will take your answers at the bench.

11 So, again, we're going to address those questions
12 to you as a panel of the whole. If you have a yes or
13 affirmative answer, please stand. We will then call upon you
14 each in turn.

15 Now, ladies and gentlemen, in this case the State
16 alleges that on January 24, 2007, the defendant Keith A.
17 Washington murdered Brandon Clark and attempted to murder
18 Robert White. These crimes are alleged to have occurred at
19 the defendant's residence located at 1513 Shellford Lane in
20 Accokeek, Prince George's County, Maryland, while Brandon
21 Clark and Robert White were delivering an item of furniture.

22 My first question to you is, does any member of
23 this prospective jury panel know anything about this case,
24 either from your own personal knowledge, from what you may
25 have learned from any other source or from any accounts in

1 the news media? If your answer is yes, please stand.

2 Sheila, I think we ought to do one row at a time so
3 they don't have to stand through the process.

4 THE BAILIFF: Number 1.

5 THE COURT: These answers will all be done at the
6 bench.

7 (Counsel approached the bench and the following
8 ensued.)

9 THE COURT: For purposes of the record, the
10 defendant is invited to be at the bench at any time that you
11 choose to have him at the bench for jury selection or for the
12 voir dire process.

13 MR. COHEN: Yes, Your Honor. Thank you.

14 THE COURT: What is your juror number, ma'am.

15 JUROR NO. 1: One.

16 THE COURT: What is your response to that specific
17 question?

18 JUROR NO. 1: I think I heard it on the news. I
19 don't know the details but I've heard it.

20 THE COURT: I'm sorry; you do not know the details,
21 but you believe you've heard it on the news?

22 JUROR NO. 1: On the news, yes.

23 THE COURT: Do you know whether that was by the
24 television sources?

25 JUROR NO. 1: TV.

1 THE COURT: Do you recall reading any other print
2 media articles whatsoever?

3 JUROR NO. 1: Un-uh. I watch TV a lot.

4 THE COURT: And do you remember anything that may
5 have been said about this case on television?

6 JUROR NO. 1: Just in general.

7 THE COURT: What do you recall hearing?

8 JUROR NO. 1: That someone was killed in our area.

9 THE COURT: Is that all, basically?

10 JUROR NO. 1: Yeah. Not too much, but I've heard
11 about it.

12 THE COURT: Do you recall when it was that you
13 heard this on television --

14 JUROR NO. 1: No.

15 THE COURT: -- in reference to today's date?

16 JUROR NO. 1: No.

17 THE COURT: Was it weeks ago, months ago or a few
18 days ago, to the best of your recollection?

19 JUROR NO. 1: If this is the one, it was many, many
20 weeks ago.

21 THE COURT: Based on what you may have heard on
22 television about this case, would that in any way impair your
23 ability to serve as a juror in this case and render a fair
24 and impartial verdict based only on the evidence to be
25 presented in this case?

1 JUROR NO. 1: I'm not sure.

2 THE COURT: When you say you're not sure, what do
3 you mean?

4 JUROR NO. 1: One thing, I work in a hospital with
5 a lot of inmates, and so --

6 THE COURT: I don't know what you mean by that.

7 JUROR NO. 1: I mean that I work closely with
8 inmates and stuff, and I hear a whole lot of stories and
9 stuff. I don't know if I can be impartial or completely
10 partial.

11 THE COURT: Certainly, as you are aware, this is a
12 very important matter for both the State of Maryland and for
13 the defendant in this case. What we are trying to do is put
14 together a panel of people who would not be influenced by
15 anything they may have heard or read in this case.

16 Now, I need to know from you, in a little bit more
17 detail, whether or not you could sit on this case, based on
18 what you've heard, and render a fair and impartial verdict
19 based only on the evidence that would be presented?

20 JUROR NO. 1: I don't think I can. I don't think I
21 can.

22 THE COURT: If you'd have a seat back in the jury
23 box.

24 THE BAILIFF: Number 4.

25 THE COURT: You are juror number 4?

1 JUROR NO. 4: Yes.

2 THE COURT: Yes, sir. What was your response to
3 that question, please?

4 JUROR NO. 4: Just from the news media. Just
5 heard -- listened to the news media of what specifically
6 happened.

7 THE COURT: And do you recall what you heard from
8 the news media about what took place?

9 JUROR NO. 4: Basically, a delivery was being made
10 at the officer's house and the individuals -- one was killed
11 and one was shot, something like that, that I can remember.

12 THE COURT: Do you recall anything else about it?

13 JUROR NO. 4: No.

14 THE COURT: Do you recall when it is, in reference
15 of a time frame, when you may have heard that on television?

16 JUROR NO. 4: I don't remember.

17 THE COURT: Do you recall reading anything about it
18 in any of the print media, newspapers?

19 JUROR NO. 4: No.

20 THE COURT: Based on what you may have heard from
21 any television source about this case, would that in any way
22 impair your ability to render a fair and impartial verdict in
23 this case based only on the evidence to be presented at
24 trial?

25 JUROR NO. 4: No.

1 THE COURT: Any other questions anybody would like
2 me to ask?

3 MR. COHEN: No, Your Honor.

4 MR. MOOMAU: No, Your Honor.

5 THE BAILLIFF: Number 5.

6 THE COURT: Good morning, ma'am. You are juror
7 number 5; is that correct?

8 JUROR NO. 5: Yes.

9 THE COURT: And what was your answer to that
10 question, please?

11 JUROR NO. 5: Yes.

12 THE COURT: And from what source did you hear
13 anything about this case? Was it television or --

14 JUROR NO. 5: Well, I work for *The Washington Post*,
15 and I have a coworker that knows Washington.

16 THE COURT: You heard about this from reading in
17 *The Washington Post*, and you have a coworker who knows
18 Mr. Washington?

19 JUROR NO. 5: Um-hmm.

20 THE COURT: Ma'am, do you recall what it is that
21 you read in *The Washington Post*?

22 JUROR NO. 5: That he shot one of the guys that was
23 delivering furniture to his home, and also about the real
24 estate guy.

25 THE COURT: Okay. Do you recall anything about the

1 incident about the real estate person that was alleged in the
2 newspaper.

3 JUROR NO. 5: That the man knocked on the wrong
4 door and that Mr. Washington approached him with a gun.

5 THE COURT: Is there anything else about what was
6 portrayed in the newspapers that you may recall about this
7 case?

8 JUROR NO. 5: Other than him saying that they went
9 in, approaching his daughter's room. That's it, basically.

10 THE COURT: Now, you've made mention of you learned
11 something from a coworker who knows Mr. Washington. What, if
12 any, information did you receive from that coworker?

13 JUROR NO. 5: Well, we were just discussing the
14 case itself and everybody had their opinion.

15 THE COURT: And this coworker had an opinion?

16 JUROR NO. 5: Yeah, we all had an opinion.

17 THE COURT: And you had an opinion.

18 JUROR NO. 5: Yes.

19 THE COURT: Based on what you have either seen or
20 heard on television or read in the newspapers or heard from a
21 coworker, have you formed any opinion as to the guilt or
22 innocence of Mr. Washington in this case?

23 JUROR NO. 5: Personally?

24 THE COURT: Yes, ma'am.

25 JUROR NO. 5: (Juror nodding head yes.)

1 THE COURT: You have formed an opinion?

2 JUROR NO. 5: (Juror nodding head yes.)

3 MR. COHEN: Your Honor, can we get that on the
4 record, just so it's clear? She's nodding.

5 THE COURT: It is on the record. I'm putting it on
6 the record. And your opinion is what, ma'am?

7 JUROR NO. 5: I think he lied, that Mr. Washington
8 lied.

9 THE COURT: You think Mr. Washington lied. Okay,
10 ma'am, thank you. If you would have a seat back in the jury
11 box, please.

12 MR. COHEN: I apologize, Your Honor. I just wanted
13 to get the yes on the record.

14 THE COURT: No, no, no, that's all right.

15 THE BAILIFF: Number 6.

16 THE COURT: Yes, ma'am, you are juror number 6; is
17 that correct?

18 JUROR NO. 6: Yes.

19 THE COURT: What is your answer to that question,
20 please?

21 JUROR NO. 6: What is the question again? I'm
22 sorry.

23 THE COURT: Yes, ma'am. If you have any knowledge
24 about this case.

25 JUROR NO. 6: I heard about it on the radio. Yeah,

1 I did.

2 THE COURT: Do you recall what you may have heard
3 on the radio?

4 JUROR NO. 6: Just that there was a shooting. I
5 didn't hear too much details on it, and I just kind of left
6 it alone. I haven't heard anymore since the first time.

7 THE COURT: Do you recall, in the context of time,
8 when you may have heard that on the radio?

9 JUROR NO. 6: It's been a couple of months. It's
10 been a while.

11 THE COURT: And you don't recall any other source
12 of information that you may have heard about this matter,
13 other than that radio?

14 JUROR NO. 6: That's about it. That's it, yeah.

15 THE COURT: Do you recall what you may have heard?

16 JUROR NO. 6: That there were two people who had
17 gotten shot after coming to this man's house, and that's
18 basically what I heard. That's about it.

19 THE COURT: Based on anything that you may have
20 heard from that radio broadcast, or really any source
21 whatsoever, would that in any way impair your ability to
22 render a fair and impartial verdict based only on the
23 evidence to be presented at trial?

24 JUROR NO. 6: No, sir.

25 THE COURT: Any other questions?

1 MR. COHEN: No, Your Honor.

2 THE COURT: Thank you. Have a seat.

3 THE BAILIFF: Number 7.

4 THE COURT: Good morning. How are you?

5 JUROR NO. 7: Great.

6 THE COURT: And you're juror number 7?

7 JUROR NO. 7: Yes.

8 THE COURT: And you might also want to tell the
9 counsel at the bench what your occupation is.

10 JUROR NO. 7: Yes. I work with the state's
11 attorney's office. Do I need to say anything else?

12 THE COURT: Yes. There will be another question as
13 well. But for purposes of -- what is your answer to the
14 question we asked?

15 JUROR NO. 7: Well, I heard it in the news about
16 what happened, and just talk in the office of character, the
17 person's character.

18 THE COURT: When you heard it on the news, do you
19 recall what news source you may have heard it?

20 JUROR NO. 7: Maybe Channel 5.

21 THE COURT: Do you recall how long ago that may
22 have been?

23 JUROR NO. 7: I can't recall.

24 THE COURT: What is it that you may have heard from
25 Channel 5 broadcast?

1 JUROR NO. 7: Basically, that someone was shot --
2 well, someone was shot and another one was killed after a
3 delivery from Marlo, Marlo Furniture.

4 THE COURT: Would anything that you may have heard
5 from that news source or any other source in any way impair
6 your ability to serve as a juror in this case and render a
7 fair and impartial verdict based only on the evidence to be
8 presented at trial?

9 JUROR NO. 7: No.

10 THE COURT: Any other questions?

11 MR. COHEN: Your Honor, could we ask questions to
12 follow up about the employment, what she actually does with
13 the state's attorney's office?

14 JUROR NO. 7: I'm a victim/witness coordinator
15 during trial.

16 MR. COHEN: There was a statement made about
17 character, Your Honor, a person's character. I just want to
18 know who that person is and what she heard about it.

19 JUROR NO. 7: On the defendant and his arrogant
20 character.

21 MR. COHEN: Court's indulgence. You heard that at
22 the state's attorney's office?

23 JUROR NO. 7: Yes.

24 THE COURT: You heard that information from your
25 conversations with people in the state's attorney's office.

1 JUROR NO. 7: Yes.

2 MR. MOOMAU: Just for the record, Ms. Coleman's
3 office is right beside mine.

4 JUROR NO. 7: Yes, but I didn't hear it from him.
5 It was just people talking.

6 THE COURT: I understand. Okay.

7 THE BAILIFF: Number 9.

8 THE COURT: Ma'am, you're juror number 9?

9 JUROR NO. 9: Yes.

10 THE COURT: What was your response to that
11 question, please?

12 JUROR NO. 9: What I heard about the situation on
13 the TV, on the radio.

14 THE COURT: Do you remember how long ago?

15 JUROR NO. 9: Maybe about a month ago.

16 THE COURT: I'm sorry?

17 JUROR NO. 9: I would say maybe about a month ago.

18 THE COURT: Do you recall what it is that you may
19 have heard?

20 JUROR NO. 9: That these two deliverers came to his
21 house and that there was a confrontation, and he pulled out a
22 gun and shot both of them; one person died.

23 THE COURT: Did you hear anything else about the
24 case?

25 JUROR NO. 9: No, I haven't.

1 THE COURT: Based on what you may have heard from
2 that television broadcast about a month ago, and from any
3 other source, could that in any way impair your ability to
4 serve as a juror in this case and render a fair and impartial
5 verdict based only on the evidence presented at trial?

6 JUROR NO. 9: No, I cannot give a fair --

7 THE COURT: You cannot give a fair -- could you
8 tell us why, please?

9 JUROR NO. 9: Because I find him guilty.

10 THE COURT: Okay. Ma'am, if you'd have a seat back
11 on the jury panel.

12 THE BAILIFF: Number 10.

13 THE COURT: Yes, sir, you're juror number 10?

14 JUROR NO. 10: Yes, sir.

15 THE COURT: What was your response to that
16 question, please?

17 JUROR NO. 10: For one, I know it from the
18 newspapers, radio talk shows.

19 THE COURT: Do you remember what you have heard on
20 the radio, television news or newspaper, what the accounts
21 were that you're aware of?

22 JUROR NO. 10: Yes, that he shot a couple people
23 that were in his house.

24 THE COURT: Do you remember anything more about
25 that?

1 JUROR NO. 10: Yes, that they were movers. One
2 died; one didn't.

3 THE COURT: Do you remember, in the context of time
4 frame, when it is that you heard that information?

5 JUROR NO. 10: Oh, almost immediately after it
6 happened.

7 THE COURT: And anything since that time?

8 JUROR NO. 10: Not much, no.

9 THE COURT: When you say not much, you have
10 heard --

11 JUROR NO. 10: Just a couple news things.

12 THE COURT: Since then.

13 JUROR NO. 10: Since then.

14 THE COURT: Do you know how close to today's
15 date you may have heard that?

16 JUROR NO. 10: It's been a month or so.

17 THE COURT: Based on what you may have heard from
18 any news source -- radio, television or newspapers -- could
19 what you have heard in any way impair your ability to serve
20 as a juror in this case and render a fair and impartial
21 verdict based only on the evidence to be presented at trial?

22 JUROR NO. 10: I believe so.

23 THE COURT: You believe it would impair your
24 ability?

25 JUROR NO. 10: Yes.

1 THE COURT: All right. Thank you. If you would
2 have a seat back in the jury box, please.

3 THE BAILIFF: Number 11.

4 THE COURT: Yes, ma'am, you're juror number 11; is
5 that correct.

6 JUROR NO. 11: Yes.

7 THE COURT: Yes, ma'am, and what was your answer to
8 that question, please.

9 JUROR NO. 11: I'm sorry, sir. I was really
10 confused. I understand little bit of English. I got lost in
11 the middle of your question.

12 THE COURT: How well do you speak English? Or not
13 well?

14 JUROR NO. 11: No. Some, and I understand some
15 things, but I don't think enough.

16 THE COURT: And your natural language is?

17 JUROR NO. 11: Spanish.

18 THE COURT: So you do not understand all aspects of
19 the English language; is that correct?

20 JUROR NO. 11: Yes.

21 THE COURT: And you have difficulty understanding
22 the questions that we asked?

23 JUROR NO. 11: I actually got lost in your
24 question. I'm sorry, sir.

25 THE COURT: That's all right. Does anybody on

1 either side have an objection -- I don't believe this juror
2 may be qualified to serve as a juror based on a language
3 problem.

4 MR. COHEN: No objection from the defense, Your
5 Honor.

6 MR. MOOMAU: No objection.

7 THE COURT: What I'm going to ask you to do, ma'am,
8 is I'm going to ask you to take that card back to the jury
9 lounge. When you turn the card back in, tell them that you
10 do not speak English very well, okay?

11 JUROR NO. 11: (Juror nodding head yes.)

12 THE COURT: Thank you, ma'am.

13 JUROR NO. 11: So should I leave now?

14 THE COURT: Yes, ma'am.

15 THE BAILIFF: Number 12.

16 THE COURT: Yes, sir, you are juror number 12?

17 JUROR NO. 12: That's correct.

18 THE COURT: What was your answer to that question,
19 please?

20 JUROR NO. 12: I do know about the case.

21 THE COURT: How do you know about the case, sir?

22 JUROR NO. 12: From seeing it on the news and
23 reading the paper.

24 THE COURT: Do you remember how long ago that may
25 have been that you heard it on the radio or the news accounts

1 in the newspapers?

2 JUROR NO. 12: Probably six months ago, I guess.

3 THE COURT: Have you heard anything since then?

4 JUROR NO. 12: No.

5 THE COURT: What is it that you recall hearing
6 about the case?

7 JUROR NO. 12: Well, I was told -- I read that the
8 person doing the shooting is a police officer, licensed to
9 carry a gun, shot the two guys delivering furniture, and had
10 done the same thing at a previous time; he shot somebody else
11 and got away with it. That's all I know.

12 THE COURT: Would anything that you have heard
13 about either of those two matters that you've read or heard
14 about in the news media, could that information in any way
15 impair your ability to serve as a juror in this case and
16 render a fair and impartial verdict based only on the
17 evidence?

18 JUROR NO. 21: Well, I feel like the guy got away
19 with it once. He's using his right to carry a firearm to
20 shoot people whenever he gets ready. I think it's wrong. I
21 think the guy should be prosecuted for it.

22 THE COURT: Okay. And have you formed an opinion
23 as to his guilt or innocence based on what you may have read
24 or heard on the news media accounts?

25 JUROR NO. 12: I feel that he's guilty in both

1 accounts. He's using the ability and the right to carry a
2 firearm to shoot people, at random, for his own benefit. I
3 think that's wrong.

4 THE COURT: Thank you, sir.

5 MR. MOOMAU: She should leave. There isn't any
6 room for her.

7 MR. COHEN: I didn't hear what's going on.

8 THE COURT: I wasn't asked anything.

9 MR. MOOMAU: I was passing the word to Ms. Clark
10 that she can go because there's no room for her.

11 THE BAILIFF: Number 13.

12 THE COURT: You are juror number 13, ma'am; is that
13 correct?

14 JUROR NO. 13: Yes.

15 THE COURT: What was your answer to that question,
16 please?

17 JUROR NO. 13: Oh, yes. Just through the news.

18 THE COURT: Do you remember what news sources you
19 may have heard things about this case?

20 JUROR NO. 13: Just TV and that they were
21 delivering and that they got shot.

22 THE COURT: Did you hear anything else?

23 JUROR NO. 13: Not really, no.

24 THE COURT: Do you remember how long ago that was?

25 JUROR NO. 13: Actually, I thought it was longer

1 than what they said. I thought it was longer.

2 THE COURT: No, when you may have heard it.

3 JUROR NO. 13: Oh, when this first happened, I
4 think.

5 THE COURT: Have you heard anything since that
6 time, to the best of your knowledge?

7 JUROR NO. 13: Maybe a couple months ago but not
8 lately.

9 THE COURT: Based on anything that you heard about
10 this case from any news source or any source whatsoever,
11 could that information in any way impair your ability to
12 serve as a juror in this case and render a fair and impartial
13 verdict based only on the evidence presented in this case?

14 JUROR NO. 13: I don't think so, no.

15 THE COURT: Okay, ma'am, thank you.

16 THE BAILIFF: Number 14.

17 THE COURT: Good morning, ma'am. You're juror
18 number 14?

19 JUROR NO. 14: Juror number 14, yes.

20 THE COURT: What was your answer to that question,
21 please?

22 JUROR NO. 14: Yes. I've heard in the media, you
23 know, the TV.

24 THE COURT: Do you remember what you may have heard
25 on the television?

1 JUROR NO. 14: That the two men delivering
2 furniture --

3 THE COURT: The two men what?

4 JUROR NO. 14: The two men delivering the furniture
5 apparently got into an altercation with Officer Washington
6 and he shot -- I mean, I don't remember the details
7 specifically.

8 THE COURT: Was this on television that you --

9 JUROR NO. 14: On TV. I did not read it in the
10 paper.

11 THE COURT: Do you remember how long ago that was
12 that you saw it on television?

13 JUROR NO. 14: It was in the summer. I would say
14 summer or fall.

15 THE COURT: Based on what you heard on the
16 television broadcast, could that in any way impair your
17 ability to serve as a juror in this case and render a fair
18 and impartial verdict based only on the evidence to be
19 presented?

20 JUROR NO. 14: I don't think so. I mean I think I
21 could be an impartial juror, yes.

22 THE COURT: Thank you. Have a seat.

23 THE BAILIFF: Number 15.

24 THE COURT: Good morning, ma'am. You're juror
25 number 15; is that correct?

1 JUROR NO. 15: Um-hmm.

2 THE COURT: What was your response to that
3 question, please?

4 JUROR NO. 15: That I know about the case through
5 the newspapers.

6 THE COURT: And do you remember what you may have
7 heard about the case from reading the newspapers?

8 JUROR NO. 15: That he works for the Department of
9 Homeland Security for the county, and two men were delivering
10 furniture and were shot, and I don't really know what his
11 defense was, but it sounded to me like he was pretty guilty.

12 THE COURT: I'm sorry; I missed that last part.
13 What did you say?

14 JUROR NO. 15: It sounded to me like he was guilty.

15 THE COURT: Do you remember when you may have read
16 that in the newspapers?

17 JUROR NO. 15: The part about him being guilty?

18 THE COURT: No; anything.

19 JUROR NO. 15: Oh. The last several months, I
20 guess. I remember reading about it last January, I believe,
21 and then a couple other times over the summer. I remember
22 just reading a week or two ago that he was going to trial.

23 THE COURT: Okay. Have you formed an opinion as to
24 his guilt or innocence based on what you've heard?

25 JUROR NO. 15: Yes.

1 THE COURT: What is that opinion?

2 JUROR NO. 15: That he's guilty.

3 THE COURT: Thank you, ma'am. Have a seat back in
4 the jury box.

5 THE BAILIFF: Number 17.

6 THE COURT: Good morning. You are juror number 17;
7 is that correct?

8 JUROR NO. 17: Number 17.

9 THE COURT: What was your answer to that question,
10 please?

11 JUROR NO. 17: With regard to that I've heard about
12 it in the media, in the newspapers, that there was a
13 shooting, Marlo Furniture delivery people at Mr. Washington's
14 home, there's a trial pending. There was another case about
15 a real estate appraiser too, that I heard about him pulling a
16 gun.

17 THE COURT: Is that specifically from the
18 newspapers?

19 JUROR NO. 17: Newspapers, yeah. I may have seen a
20 couple accounts on TV too. I don't watch too much TV, but I
21 could have seen it from a blurb.

22 THE COURT: Do you remember, in the context of
23 time, when that may have been?

24 JUROR NO. 17: I want to say fall but, you know,
25 time doesn't stand still.

1 There's another source, though, that I wanted to
2 bring to your attention. I work with four retired Prince
3 George's County police officers, and I think it's fair that I
4 state that.

5 THE COURT: And you've heard information about the
6 case from them?

7 JUROR NO. 17: No, but about the defendant. They
8 know the defendant, and they've mentioned that to me, that
9 he's hotheaded and whatnot. So I thought I would share that
10 with you.

11 THE COURT: Based on what you may have read or
12 heard in any news media account, or based on what you may
13 have heard from any police officers in Prince George's County
14 that you've had occasion to speak to, could that information
15 that you received in any way impair your ability to serve as
16 a juror in this case and render a fair and impartial verdict
17 based only on the evidence?

18 JUROR NO. 17: I think not.

19 THE COURT: Any other questions?

20 MR. MOOMAU: You think not, that it would not
21 impair your ability?

22 JUROR NO. 17: I think it would not impair my
23 ability.

24 MR. COHEN: The four retired P. G. County police
25 officers that you work with, I just wanted to follow up about

1 the employment. I don't understand how you work for the
2 retired --

3 JUROR NO. 17: I don't work for them. I work with
4 them.

5 THE COURT: What is the nature of your employment?

6 JUROR NO. 17: I work at the Washington Suburban
7 Sanitary Commission's police department and they work there.
8 They're investigators.

9 THE COURT: What is your position?

10 JUROR NO. 17: I'm an investigator. I'm a retired
11 Laurel police officer.

12 THE COURT: I'm sure this question will come up
13 again when we go into law enforcement. Alright, ma'am, thank
14 you.

15 THE BAILIFF: Number 18.

16 THE COURT: Good morning, ma'am. You're juror
17 number 18; is that correct?

18 JUROR NO. 18: Yes, sir.

19 THE COURT: What was your response to that
20 question, please?

21 JUROR NO. 18: It was yes.

22 THE COURT: And what have you heard about this
23 matter from any newspapers or radio or television account?

24 JUROR NO. 18: I just saw the news and saw what was
25 reported.

1 THE COURT: Do you recall what it is that you may
2 have heard from the reports?

3 JUROR NO. 18: That a police officer said that he
4 had to shoot a person in his house; that he thought he was
5 being threatened; and there were two, one was wounded and one
6 died.

7 THE COURT: Do you remember, in the context of
8 time, when you may have heard or read that?

9 JUROR NO. 18: In the context of time?

10 THE COURT: Yes, ma'am. Two months ago? Two weeks
11 ago?

12 JUROR NO. 18: Oh, it was a long time ago.

13 THE COURT: Have you heard anything since then?

14 JUROR NO. 18: No, nothing.

15 THE COURT: Based on what you may have read or
16 heard about this case that you described to us, could that in
17 any way impair your ability to serve as a juror on this case
18 and render a fair and impartial verdict based only on the
19 evidence?

20 JUROR NO. 18: No, it couldn't impair my ability
21 to, you know, work on this case or decide or whatever.

22 THE COURT: Thank you.

23 THE BAILIFF: Number 19.

24 THE COURT: Good morning, ma'am. You are juror
25 number 19; is that correct?

1 JUROR NO. 19: Yes.

2 THE COURT: What was your answer to that question,
3 please?

4 JUROR NO. 19: Well, I read it in the newspaper and
5 on the TV.

6 THE COURT: Do you recall what you may have read or
7 heard?

8 JUROR NO. 19: Yes.

9 THE COURT: What is that, please?

10 JUROR NO. 19: The two men delivered furniture, and
11 the officer claimed one went to his daughter's bedroom and
12 tried to fight him or something like that.

13 THE COURT: Do you recall anything else?

14 JUROR NO. 19: The two gentlemen that was
15 delivering the furniture called their supervisor when the
16 officer got very upset, and I don't know what happened after
17 that. They got shot.

18 THE COURT: Do you remember when you may have heard
19 or read those things? Was it several weeks ago or several
20 months ago?

21 JUROR NO. 19: No, when it first happened and maybe
22 a week or two later, and once when they were at court here
23 for a hearing, I think.

24 THE COURT: Based on what you may have heard from
25 any media accounts whatsoever, could that in any way impair

1 your ability to serve as a juror in this case and render a
2 fair and impartial verdict based only on the evidence?

3 JUROR NO. 19: No, I don't think so.

4 THE COURT: Thank you, ma'am. I appreciate it.

5 THE BAILIFF: Number 20.

6 THE COURT: Good morning, ma'am. You are juror
7 number 20; is that correct?

8 JUROR NO. 20: I am.

9 THE COURT: What was your answer to that question,
10 please?

11 JUROR NO. 20: My answer was yes.

12 THE COURT: Do you remember what you may have heard
13 from --

14 JUROR NO. 20: Yes. I remember a lot of what I
15 heard. As a matter of fact, I did hear it again this morning
16 on the news, and I felt that I formed an opinion when I
17 turned my television off this morning.

18 THE COURT: Alright, ma'am. From watching the
19 television this morning?

20 JUROR NO. 20: Um-hmm.

21 THE COURT: What did you hear on the television
22 this morning?

23 JUROR NO. 20: This morning, that the trial was
24 going to be underway today, and a reminder of what happened,
25 the two gentlemen that were shot, the reason why he was here,

1 what he pleaded or what he is saying allegedly happened.

2 THE COURT: And you said you have formed an
3 opinion?

4 JUROR NO. 20: I did. And it wasn't just from this
5 morning. I have been listening. I listened when the
6 incident happened and, over the course of years, that he has
7 progressed.

8 THE COURT: What opinion is it that you formed with
9 regard to the guilt or innocence of Mr. Washington?

10 JUROR NO. 20: I think Mr. Washington is guilty.

11 THE COURT: Thank you. If you would please go back
12 and have a seat in the audience for us.

13 JUROR NO. 20: Sure.

14 THE BAILIFF: Number 21.

15 THE COURT: You are juror number 21; is that
16 correct?

17 JUROR NO. 21: Yes.

18 THE COURT: What was your answer to that question,
19 please?

20 JUROR NO. 21: Yes.

21 THE COURT: And what did you hear from what source,
22 ma'am?

23 JUROR NO. 21: News.

24 THE COURT: From the television, radio or
25 newspapers?

1 JUROR NO. 21: Newspapers --

2 (Court reporter indicates inability to hear the
3 juror.)

4 THE COURT: What you say does not broadcast to the
5 audience. It's just broadcast to our court reporter through
6 the wire. So you're going to have to speak up a little bit.
7 What you heard came from a newspaper; is that correct?

8 JUROR NO. 21: Yes.

9 THE COURT: What do you remember reading in the
10 newspapers about this case?

11 JUROR NO. 21: The gentlemen shot two furniture
12 deliverymen.

13 THE COURT: Do you remember anything else?

14 JUROR NO. 21: His name.

15 THE COURT: But nothing else other than that?

16 JUROR NO. 21: Un-uh.

17 THE COURT: Do you remember how long ago it was
18 that you read that?

19 JUROR NO. 21: No.

20 THE COURT: Based on what you read about this case
21 and what you told us, could that in any way impair your
22 ability to serve as a juror in this case and render a fair
23 and impartial verdict?

24 JUROR NO. 21: No.

25 THE COURT: Alright, ma'am. Thank you.

1 THE BAILIFF: Number 22.

2 THE COURT: Good morning, ma'am. You are juror
3 number 22; is that correct?

4 JUROR NO. 22: Yes.

5 THE COURT: And what is it that you remember
6 hearing about this case?

7 JUROR NO. 22: I saw it on the news. Apparently,
8 two guys were delivering furniture, and I think they got the
9 wrong address or something, and the man inside the house,
10 there was some form of altercation and someone was shot.

11 THE COURT: Do you remember that came to you by way
12 of television program or --

13 JUROR NO. 22: Yes.

14 THE COURT: Do you remember any newspapers accounts
15 as well?

16 JUROR NO. 22: I do not.

17 THE COURT: Other than what you've told us, did you
18 hear anything else about this case?

19 JUROR NO. 22: Not that I can remember.

20 THE COURT: Based on what you may have heard from
21 any news media account or any other source, could that
22 information in any way impair your ability to serve as a
23 juror in this case and render a fair and impartial verdict
24 based only on the evidence?

25 JUROR NO. 22: No.

1 THE COURT: Thank you, ma'am. I appreciate it.

2 THE BAILIFF: Number 23.

3 THE COURT: Good morning, sir. You are juror
4 number 23; is that correct?

5 JUROR NO. 23: Correct.

6 THE COURT: What was your response to that
7 question, please?

8 JUROR NO. 23: Yes.

9 THE COURT: And when you say yes, what do you
10 recall hearing about this case?

11 JUROR NO. 23: The news, TV news reports.

12 THE COURT: And do you remember anything specific
13 that came from the television that you heard about the facts
14 of this case?

15 JUROR NO. 23: Well, the allegations from both
16 sides.

17 THE COURT: What do you recall specifically?

18 JUROR NO. 23: Well, it was a furniture delivery
19 and somehow some altercation erupted in the process of the
20 delivery, and then there were allegations of someone being
21 attacked and someone was shot.

22 THE COURT: Do you remember how long ago you may
23 have heard from the news sources, what you're describing for
24 us?

25 JUROR NO. 23: This was several months ago, when

1 the incident first happened, reportedly happened.

2 THE COURT: You've heard nothing since then?

3 JUROR NO. 23: No, not since then.

4 THE COURT: Based on what you heard from any
5 television or newspapers accounts of this matter or from any
6 other source, could that information in any way impair your
7 ability to serve as a juror in this case and render a fair
8 and impartial verdict based only on the evidence?

9 JUROR NO. 23: No, sir.

10 THE COURT: Thank you, sir. I appreciate it.

11 THE BAILIFF: Number 24.

12 THE COURT: Good morning. You are juror number 24;
13 is that correct?

14 JUROR NO. 24: That's correct.

15 THE COURT: What is your response to that question,
16 please?

17 JUROR NO. 24: Yes.

18 THE COURT: From what news media sources did you
19 hear information about this case?

20 JUROR NO. 24: On television.

21 THE COURT: Just television?

22 JUROR NO. 24: Just television and newspapers.

23 THE COURT: What do you recall hearing about this
24 case from either television or newspaper accounts?

25 JUROR NO. 24: I recall hearing that a Prince

1 George's County police officer was being charged with the
2 death or shooting of one -- two moving personnel that was
3 allegedly doing some work in his home.

4 THE COURT: And do you remember when that was that
5 you heard this information? Several weeks ago? Today?

6 JUROR NO. 24: No, no. Back when it happened.

7 THE COURT: Have you heard anything since that
8 time?

9 JUROR NO. 24: One report since, I think. Three or
10 four months later they gave an update, but nothing recently.

11 THE COURT: Based on what you may have heard from
12 any newspaper or television accounts of this incident, could
13 that information in any way impair your ability to serve as a
14 juror in this case and render a fair and impartial verdict
15 based only on the evidence?

16 JUROR NO. 24: I am not sure.

17 THE COURT: When you say you're not sure,
18 obviously, you understand how important this matter is for
19 the State of Maryland and, certainly, for Mr. Washington in
20 this case. So what we are trying to do is put a group of
21 people together, who would not be influenced by anything they
22 may have heard or read about this case, to determine,
23 impartially, the outcome of this case. Do you believe that
24 you could do that?

25 JUROR NO. 24: No, sir, I don't.

1 THE COURT: Alright, sir, I thank you for your
2 candor. I appreciate it. Have a seat back in the audience.

3 THE BAILIFF: Number 25.

4 THE COURT: You are juror number 25; is that
5 correct?

6 JUROR NO. 25: Yes, sir.

7 THE COURT: What was your answer to that question,
8 please?

9 JUROR NO. 25: Yes.

10 THE COURT: What is it that you may have heard
11 about this case?

12 JUROR NO. 25: Well, nothing beyond what was said
13 on the news. I saw the few news -- nothing beyond that.

14 THE COURT: And the news accounts were from
15 television or newspapers?

16 JUROR NO. 25: Television.

17 THE COURT: And do you remember what the television
18 broadcast said about this case that you may recall?

19 JUROR NO. 25: I really don't recall a whole lot
20 about what took place.

21 THE COURT: And do you remember when you may have
22 heard information about this case from the news media? What
23 time? Several weeks ago or less?

24 JUROR NO. 25: Last year.

25 THE COURT: Nothing since then, to the best of your

1 recollection?

2 JUROR NO. 25: No, sir.

3 THE COURT: Would anything that you have heard from
4 any newspaper account in any way impair your ability to serve
5 as a juror in this case and render a fair and impartial
6 verdict based only on the evidence to be presented at this
7 trial?

8 JUROR NO. 25: No, sir.

9 THE COURT: Thank you, sir. I appreciate it.

10 THE BAILIFF: Number 26.

11 THE COURT: Good morning, sir. How are you?
12 You're juror number 26; is that correct?

13 JUROR NO. 26: Yes, sir.

14 THE COURT: What is your answer to that question,
15 please? What was your response to the question we asked
16 about anything you may have heard --

17 JUROR NO. 26: Newspaper and TV.

18 THE COURT: Do you remember what it is that you may
19 have heard?

20 JUROR NO. 26: The guys was trying to deliver some
21 furniture, and one got killed and one was fatally injured or
22 something like that.

23 THE COURT: Do you remember when you heard that
24 information, how long ago?

25 JUROR NO. 26: It was a while. I heard it when it

1 first -- like the first day. I think it was like the 24th or
2 something.

3 THE COURT: Have you heard anything after that
4 point from any news media source?

5 JUROR NO. 26: Very vaguely.

6 THE COURT: Would anything that you have heard
7 about this case from any source, including the news media,
8 could it in any way impair your ability to serve as a juror
9 in the case and render a fair and impartial verdict based
10 only on the evidence to be presented?

11 JUROR NO. 26: Honestly, I deliver furniture, so I
12 wasn't too happy with the situation. I deliver to people
13 homes, so it didn't squeeze me good. So I wouldn't be good.
14 Because I don't want to just -- without hearing all the
15 evidence, just convict him guilty. But I deliver furniture,
16 so it bothered me.

17 THE COURT: And you correct me if I'm wrong. My
18 understanding is what you're saying is because you're
19 employed, as were the alleged victims in this case, that you
20 believe that you could not render a fair and impartial
21 verdict based on the evidence because of your employment; is
22 that correct?

23 JUROR NO. 26: Yes, sir.

24 THE COURT: Alright, sir. Thank you.

25 THE BAILIFF: Number 27.

1 THE COURT: Good morning, ma'am. You are juror
2 number 27?

3 JUROR NO. 27: I am.

4 THE COURT: What was your response to the question
5 we asked, please?

6 JUROR NO. 27: Yes, I heard stuff on the news.

7 THE COURT: Do you remember how long ago that would
8 have been?

9 JUROR NO. 27: Probably about three, maybe four
10 months.

11 THE COURT: Do you remember specifically what it is
12 that you may have heard?

13 JUROR NO. 27: The only thing I truly remember is
14 something about a Marlo truck and somebody was intruding and
15 someone was shot.

16 THE COURT: Was that from any television or
17 newspaper accounts, to the best of your recollection?

18 JUROR NO. 27: Television only.

19 THE COURT: And based on what you may have heard
20 from that television or television accounts, could that
21 information in any way impair your ability to serve as a
22 juror on this case and render a fair and impartial verdict
23 based only on the evidence to be presented at trial?

24 JUROR NO. 27: Absolutely not.

25 THE COURT: Thank you, ma'am. I appreciate it.

1 THE DEPUTY CLERK: One of the defense witnesses is
2 outside, questioning if he had to stay.

3 MR. COHEN: I thought I had left him a message that
4 he did not. We can let him go.

5 THE COURT: Where is he?

6 THE DEPUTY CLERK: Outside.

7 THE COURT: Why don't you go talk to him or he may
8 never come back.

9 (Defense counsel briefly leaves bench conference.)

10 THE COURT: Ladies and gentlemen, thank you for
11 bearing with us. I know that this can be a little bit of a
12 deliberative process, but it's absolutely necessary for us to
13 carry this out with some strict adherence, so I appreciate it
14 very much.

15 (Counsel returned to the bench and the bench
16 conference resumed.)

17 MR. COHEN: Thank you, Your Honor.

18 THE COURT: I believe we were getting to juror
19 number 28, I think.

20 THE BAILIFF: Number 28.

21 THE COURT: Good morning, sir. You are juror
22 number 28; is that correct?

23 JUROR NO. 28: Yes, sir.

24 THE COURT: What was your response to that
25 question, please?

1 JUROR NO. 28: I've heard about the case when it
2 first occurred, and I have friends and associates that know
3 both parties.

4 THE COURT: What, if anything, did you hear about
5 the case?

6 JUROR NO. 28: On the night of the incident, when
7 it occurred, and how -- on the night of the incident when it
8 occurred, on the news. After that, my friends that know the
9 defendant was basically saying that he was defending himself.
10 They were in his house, looking around. He came down and saw
11 them, so he took action.

12 And the friends that I know that is one of the
13 victim's cousins said they was just delivering the furniture
14 and, you know, the guy came out because he had a scratch on
15 some part of the furniture or something and went off and
16 that's when the incident occurred.

17 THE COURT: Do you remember the news sources that
18 you heard the accounts from? Was it radio, television or --

19 JUROR NO. 28: I watch all the news channels, and I
20 just read about it in the paper today.

21 THE COURT: And you read about it in the paper this
22 morning?

23 JUROR NO. 28: Yes, this morning.

24 THE COURT: *The Washington Post* this morning?

25 JUROR NO. 28: Yes.

1 THE COURT: And you've heard accounts both from
2 people who know Mr. Washington and who know one or both of
3 the people?

4 JUROR NO. 28: Just one of the guys.

5 THE COURT: Which one; do you recall?

6 JUROR NO. 28: I can't recall which one she knew.
7 I mean, that's her cousin, but she's just saying he had a
8 scratch on the furniture and he went off from there.

9 THE COURT: Would any of the information that you
10 heard from any news media source or from those people who
11 know Mr. Washington and/or one, if not both, of the victims,
12 could that information in any way impair your ability to
13 serve as a juror in this case and render a fair and impartial
14 verdict based only on the evidence?

15 JUROR NO. 28: It's hard to say. I'm assuming no,
16 but.

17 THE COURT: Well, obviously, this is a very
18 important matter for both the State of Maryland and for
19 Mr. Washington in this case. What we are trying to do is to
20 put together a group of individuals who would not be
21 influenced by anything they may have heard or they would know
22 from any other source about this case.

23 So would any of the information that you received
24 from any source, could it in any way impair your ability to
25 serve as a juror in this case and render a fair and impartial

1 verdict?

2 JUROR NO. 28: I guess no.

3 THE COURT: Well, once again, you're using the word
4 "guess" no. You're going to have to help all of us in being
5 a little bit more definitive. If you believe what you -- if
6 anything that you have heard could influence your decision,
7 you have to tell us that.

8 JUROR NO. 28: No.

9 THE COURT: No, you couldn't render a fair and
10 impartial verdict, or no, you wouldn't be influenced by
11 anything you may have heard?

12 JUROR NO. 28: It will probably sway me one way or
13 another.

14 THE COURT: Alright, sir. I appreciate your
15 candor. Have a seat back in the audience, please.

16 THE BAILIFF: Number 29.

17 THE COURT: Good morning, ma'am. You are juror
18 number 29?

19 JUROR NO. 29: Yeah, 29.

20 THE COURT: What is your response to that question,
21 please?

22 JUROR NO. 29: Oh, I read about the case in the
23 news.

24 THE COURT: Do you remember how long ago?

25 JUROR NO. 29: About a year ago.

1 THE COURT: Do you remember what you heard
2 specifically about the case?

3 JUROR NO. 29: I just remember that it was Marlo
4 delivery people had come to the house and, apparently, they
5 were -- they didn't leave when the guy that was living there
6 asked them to leave. They were in a wrong part of the house
7 or something like that. I remember the guy's last name was
8 Washington.

9 THE COURT: And that's all you recall about it?

10 JUROR NO. 29: That's all I recall. I just
11 remember him saying you need to leave.

12 THE COURT: How long ago was that that you heard
13 that information, to the best of your recollection?

14 JUROR NO. 29: It was about -- I guess about a
15 year.

16 THE COURT: You've heard nothing since then?

17 JUROR NO. 29: I haven't heard.

18 THE COURT: Based on what you may have heard about
19 this case from any news media account, could that information
20 in any way impair your ability to serve as a juror in this
21 case and render a fair and impartial verdict based only on
22 the evidence?

23 JUROR NO. 29: Are you asking me if any of the
24 information that I've heard would sway me in any way?

25 THE COURT: Yes, ma'am.

1 JUROR NO. 29: Yes.

2 THE COURT: It would sway you?

3 JUROR NO. 29: Yes.

4 THE COURT: So you may have already formed an
5 opinion as to Mr. Washington's guilt or innocence?

6 JUROR NO. 29: Yes.

7 THE COURT: Thank you. You may have a seat back in
8 the audience.

9 THE BAILIFF: Number 31.

10 THE COURT: Good morning, ma'am. You are juror
11 number 31; is that correct?

12 JUROR NO. 31: Yes.

13 THE COURT: What was your answer to that question,
14 please?

15 JUROR NO. 31: To which question?

16 THE COURT: Whether or not you have heard anything
17 about this --

18 JUROR NO. 31: I saw it on television.

19 THE COURT: Do you remember how long ago?

20 JUROR NO. 31: About -- I think it was last week.

21 THE COURT: Do you remember specifically what you
22 heard from that television broadcast?

23 JUROR NO. 31: Okay. It was a gentleman that was
24 being tried -- getting ready to be tried for murder,
25 attempted murder for two guys, two delivery guys, two Marlo's

1 delivery guys. They was delivering furniture to his house or
2 something, and I guess they had a confrontation and they got
3 shot.

4 THE COURT: Do you recall anything else?

5 JUROR NO. 31: Not really.

6 THE COURT: Have you heard anything since that
7 time?

8 JUROR NO. 31: Well, no. Well, basically, I just
9 saw when the gentleman was -- I think he was leaving the
10 court building or something, and he was talking about that
11 his trial would be starting soon or whatever.

12 THE COURT: Based on anything that you may have
13 heard from any news media account or based on what you have
14 heard from any other source, could that information in any
15 way impair your ability to serve as a juror in this case and
16 render a fair and impartial verdict based only on the
17 evidence to be presented at trial?

18 JUROR NO. 31: No, because I don't really know what
19 happened, you know? I don't know what happened, so.

20 THE COURT: So you have formed no opinion as to
21 Mr. Washington's guilt or innocence from anything that you
22 may have heard or read?

23 JUROR NO. 31: No.

24 THE COURT: Alright, ma'am. Thank you.

25 THE BAILIFF: Number 32.

1 THE COURT: Good morning, sir. You are juror
2 number 32?

3 JUROR NO. 32: Yes, I am.

4 THE COURT: What was your answer to that question,
5 please?

6 JUROR NO. 32: It was yes.

7 THE COURT: And what have you heard from any news
8 media account?

9 JUROR NO. 32: Well, I've heard from the
10 beginning -- I read the paper every day, and I read the
11 Gazette and the internet and stuff like that.

12 THE COURT: Specifically, what have you heard about
13 the case, specifically?

14 JUROR NO. 32: I've heard about all aspects of it.

15 THE COURT: What is that?

16 JUROR NO. 32: I read about the alleged -- the guy
17 that lived and, you know, the story of the police officer and
18 the story of the mover and I've heard the whole thing.
19 Basically, I've been following it from the beginning.

20 THE COURT: When is the most recent time that you
21 have heard anything about this case?

22 JUROR NO. 32: The Gazette showed me the day of the
23 trial.

24 THE COURT: And that was yesterday or Thursday?

25 JUROR NO. 32: No. It was, I think, Thursday or

1 Friday, something like that.

2 THE COURT: Alright, sir. Based on what you may
3 have heard from any news media account, radio, television, or
4 newspapers, could that information in any way impair your
5 ability to serve as a juror in this case and render a fair
6 and impartial verdict based only on the evidence to be
7 presented at trial?

8 JUROR NO. 32: No, it would not.

9 THE COURT: Thank you, sir.

10 THE BAILIFF: Number 34.

11 THE COURT: Good morning, sir. You are juror
12 number 34; is that correct?

13 JUROR NO. 34: Yes.

14 THE COURT: What was your answer to that question,
15 please?

16 JUROR NO. 34: Yeah, I've heard of it.

17 THE COURT: What have you heard about this case,
18 specifically?

19 JUROR NO. 34: I've kind of been reading it in the
20 newspapers since it started. So a fair amount that he --
21 well, I guess he allegedly shot two unarmed people and one of
22 them died at the hospital. I guess he's got a history of
23 things. He was working for the county executive. He had
24 some disciplinary problems.

25 I read an article this morning about the evidence,

1 that I suppose you're not going to allow, about his
2 psychological evaluation. He waived a gun in the face of a
3 guy, apparently, who came to his door a couple years ago,
4 stuff like that.

5 THE COURT: And when is the most recent you've
6 heard or read was this morning?

7 JUROR NO. 34: This morning.

8 THE COURT: From *The Washington Post*?

9 JUROR NO. 34: Yes.

10 THE COURT: Based on any information that you may
11 have received or heard from any television, radio or
12 newspaper account, could that information in any way impair
13 your ability to serve as a juror in this case and render a
14 fair and impartial verdict based only on the evidence to be
15 presented at trial?

16 JUROR NO. 34: I think it actually could. I kind
17 of --

18 THE COURT: You could?

19 JUROR NO. 34: I think it would influence me.

20 THE COURT: You think it would influence you.

21 JUROR NO. 34: Yeah.

22 THE COURT: And why do you say that?

23 JUROR NO. 34: I was pretty surprised when I came
24 in here and saw him this morning. I kind of made up my mind
25 about him a while ago, to be honest.

1 THE COURT: Alright, sir. I appreciate that.
2 Thank you for your candor. Have a seat back in the audience,
3 please.

4 THE DEPUTY CLERK: Judge, here is a note. Number
5 39 doesn't understand English.

6 THE COURT: I think we better call 39 up. Sheila,
7 would you call number 39, please.

8 THE BAILIFF: Number 39.

9 MR. COHEN: Your Honor, I have another witness
10 issue, whenever you get a chance.

11 THE COURT: Can you do it and we still do this?

12 MR. COHEN: Yes, Your Honor.

13 THE COURT: Yes, ma'am, you are juror number 39?

14 JUROR NO. 39: Yes.

15 THE COURT: My understanding is you do not speak
16 English.

17 JUROR NO. 39: I speak English but not that good.

18 THE COURT: But not that good. Gentlemen?

19 MR. COHEN: No objection, Your Honor.

20 MR. MOOMAU: No objection.

21 THE COURT: I'm going to ask you to return to the
22 juror's lounge, give your card back to them, and tell them
23 you do not understand English very well.

24 JUROR NO. 39: Thank you. I just go out?

25 THE COURT: Yes, ma'am. For the record, there is

1 no opposition to striking number 39 for cause as a result of
2 not understanding the English language.

3 THE BAILIFF: Number 35.

4 THE COURT: Yes, sir, you are juror number 35, sir;
5 is that correct?

6 JUROR NO. 35: Yes.

7 THE COURT: What was your response to that
8 question, please?

9 JUROR NO. 35: Yes, I have heard of the case.

10 THE COURT: And from what have you heard about the
11 case?

12 JUROR NO. 35: From what I read in *The Washington*
13 *Post*, and I saw a little bit on the news.

14 THE COURT: And how long ago was that?

15 JUROR NO. 35: It's been several weeks since I saw
16 anything in the Post.

17 THE COURT: And what specifically have you heard?

18 JUROR NO. 35: That I think it was two guys were
19 delivering furniture to Mr. Washington's home and, for some
20 reason, he shot both of them. That's about all I heard.

21 THE COURT: Alright, sir. And based on what you
22 have heard about the case from those news media accounts,
23 does that information or could that information in any way
24 impair your ability to serve as a juror on this case and
25 render a fair and impartial verdict based only on the

1 evidence?

2 JUROR NO. 35: Quite possibly. I mean, I kind of
3 formed an opinion based on what I read already.

4 THE COURT: And what opinion have you formed about
5 the guilt or innocence of Mr. Washington?

6 JUROR NO. 35: That he may be guilty of shooting
7 them unnecessarily.

8 THE COURT: Alright, sir. Thank you.

9 THE BAILIFF: Number 38.

10 THE COURT: Good morning, ma'am. You are juror
11 number 38; is that correct?

12 JUROR NO. 38: That's correct.

13 THE COURT: What was your response to that
14 question, please? In terms of what you have heard from the
15 news media.

16 JUROR NO. 38: I did hear it on the news.

17 THE COURT: What did you hear?

18 JUROR NO. 38: About a police officer shooting two
19 young men that were delivering furniture to his house.

20 THE COURT: Do you remember how long ago you heard
21 that?

22 JUROR NO. 38: About a little over a year ago.

23 THE COURT: Was it from a newspaper or from
24 television accounts or radio accounts that you may have heard
25 that?

1 JUROR NO. 38: Both.

2 THE COURT: Have you heard anything recently about
3 the case?

4 JUROR NO. 38: That the police officer is out on
5 bond.

6 THE COURT: Based on what you have heard from any
7 news media account or other source about this matter, could
8 that information in any way impair your ability to serve as a
9 juror in this case and render a fair and impartial verdict?

10 JUROR NO. 38: No.

11 THE COURT: Thank you, ma'am.

12 THE BAILIFF: Number 40.

13 THE COURT: Good morning, sir. You are juror
14 number 40; is that correct?

15 JUROR NO. 40: Correct.

16 THE COURT: What was your response to that
17 question, please?

18 JUROR NO. 40: It was yes.

19 THE COURT: And what have you heard about this case
20 from any news media?

21 JUROR NO. 40: I've read an article about it
22 several months ago.

23 THE COURT: Have you heard anything else, other
24 than reading an article?

25 JUROR NO. 40: Just an article. I don't believe I

1 was here in town at the time that it happened, so.

2 THE COURT: What do you recall reading about this
3 case?

4 JUROR NO. 40: Just that there was a shooting at a
5 residence when some deliverymen were delivering some
6 furniture.

7 THE COURT: Based on what you may have heard about
8 this case from that news media account, could that
9 information in any way impair your ability to serve as a
10 juror in this case and render a fair and impartial verdict
11 based only on the evidence to be presented?

12 JUROR NO. 40: No.

13 THE COURT: Thank you, sir. Appreciate it.

14 THE BAILIFF: Number 41.

15 THE COURT: Good morning, sir. How are you?

16 JUROR NO. 41: Okay.

17 THE COURT: You are juror number 41; is that
18 correct?

19 JUROR NO. 41: Yes, that's correct.

20 THE COURT: What was your response to that
21 question, please?

22 JUROR NO. 41: Yes, I've heard it on the news and
23 the newspaper.

24 THE COURT: Any other account other than the
25 newspaper?

1 JUROR NO. 41: No. Just Channel 4, Channel 5.

2 THE COURT: What is it that you have heard about
3 this case from any of those sources?

4 JUROR NO. 41: Basically, that the defendant had
5 some furniture delivered, come to his house, and I guess they
6 got into a scuffle or whatever and someone was killed.

7 THE COURT: Have you heard anything recently about
8 the case?

9 JUROR NO. 41: That the trial was coming up.

10 THE COURT: And when did you hear about that?

11 JUROR NO. 41: That was, I believe, last Tuesday.

12 THE COURT: Based on any of the things that you may
13 have heard about this case from any news media account of it,
14 could that information in any way impair your ability to
15 serve as a juror in this case and render a fair and impartial
16 verdict based only on the evidence?

17 JUROR NO. 41: No.

18 THE COURT: Thank you, sir. I appreciate it.

19 THE BAILIFF: Number 42.

20 THE COURT: Good morning, sir. You are juror
21 number 42; is that correct?

22 JUROR NO. 42: Yes.

23 THE COURT: What was your answer to that question,
24 please?

25 JUROR NO. 42: I've heard on the radio -- well, on

1 the news and the TV.

2 THE COURT: So you've kept up with it on the radio
3 and news channels?

4 JUROR NO. 42: Yes.

5 THE COURT: What about the newspaper?

6 JUROR NO. 42: My wife reads the newspaper every
7 morning, and then she calls me and let's me know what's going
8 on.

9 THE COURT: What do you recall hearing about this
10 case from any source?

11 JUROR NO. 42: Just that they -- about the killing,
12 him shooting the two guys and -- well, about everything the
13 news was talking about, how they -- they said what caused,
14 how they provoked him or whatever.

15 THE COURT: Based on what you have heard from any
16 news source whatsoever, could that information in any way
17 impair your ability to serve as a juror in this case and
18 render a fair and impartial verdict based only on the
19 evidence?

20 JUROR NO. 42: That's a hard question. I believe I
21 could give a fair --

22 THE COURT: But you're saying you're not positive?

23 JUROR NO. 42: No, I'm not positive.

24 THE COURT: Well, obviously, you understand how
25 important this matter is for the State of Maryland and for

1 Mr. Washington, that is charged with this offense, and what
2 he we are trying to do is put together a number of
3 individuals who would not be influenced by anything they may
4 have heard or read about this incident, so that they could
5 deliberate in a fair and impartial manner.

6 So I need to ask you that question again. I need
7 to ask you if anything that you may have heard about this
8 case from any newspaper source could in any way impair your
9 ability to serve as a juror in this case and render a fair
10 and impartial verdict?

11 JUROR NO. 42: Yes.

12 THE COURT: Yes?

13 JUROR NO. 42: I think what I've heard could
14 impair.

15 THE COURT: Alright, sir. I appreciate your
16 candor. Thank you.

17 THE BAILIFF: Number 44.

18 THE COURT: Good morning. You are juror number 44?

19 JUROR NO. 44: Yes.

20 THE COURT: What was your answer to that question,
21 please?

22 JUROR NO. 44: Yes.

23 THE COURT: What have you heard about this case
24 from any news media source?

25 JUROR NO. 44: That Mr. Washington had shot a

1 deliveryman. That's about it.

2 THE COURT: And do you recall whether that was from
3 a television or newspaper account?

4 JUROR NO. 44: TV.

5 THE COURT: And how long ago was that, to the best
6 of your knowledge?

7 JUROR NO. 44: Over a year ago.

8 THE COURT: Have you heard anything since then from
9 any news media account?

10 JUROR NO. 44: I did, but I can't remember what the
11 incident was.

12 THE COURT: Based on what you may have heard from
13 that television account or other sources, could that
14 information that you heard in any way impair your ability to
15 serve as a juror in this case and render a fair and impartial
16 verdict based only on the evidence to be presented?

17 JUROR NO. 44: No.

18 THE COURT: Thank you, ma'am.

19 THE BAILIFF: Number 45.

20 THE COURT: Good morning, sir. You are juror
21 number 45; is that correct?

22 JUROR NO. 45: Yes, sir.

23 THE COURT: What was your answer to that question,
24 please? What was your answer to the question about what you
25 may have heard --

1 JUROR NO. 45: Oh, yes, I heard it.

2 THE COURT: What have you heard specifically about
3 this case?

4 JUROR NO. 45: What was read in the newspapers,
5 that the charges, everything that was stated.

6 THE COURT: How long ago was that?

7 JUROR NO. 45: I think the last one was when his
8 lawyer said it was coming up to trial.

9 THE COURT: Was that this morning or --

10 JUROR NO. 45: No; it was recently though.

11 THE COURT: Based on anything you may have heard
12 from any news media account, could that information in any
13 way impair your ability to serve as a juror in this case and
14 render a fair and impartial verdict based only on the
15 evidence?

16 JUROR NO. 45: I guess I could. I'm saying that I
17 have a relative who was accused of murdering his wife and,
18 you know, I'm just -- that thought go through my mind.

19 THE COURT: Well, let me ask two different
20 questions then. Based on what you're heard about this case
21 from any source, could the information you have heard about
22 this case in any way impair your ability to serve as a juror
23 and render a fair and impartial verdict?

24 JUROR NO. 45: I don't think so.

25 THE COURT: Now, you've also indicated that you

1 have a relative who was accused of murdering his wife.

2 JUROR NO. 45: Right.

3 THE COURT: Where was that?

4 JUROR NO. 45: In D.C.

5 THE COURT: When was that?

6 JUROR NO. 45: It was a couple years ago. He was
7 found guilty. The trial was recently.

8 THE COURT: Do you think that that matter was
9 fairly handled by either the investigating, prosecuting or
10 court authorities?

11 JUROR NO. 45: I've heard so much, I don't know
12 what to believe.

13 THE COURT: And do you believe that what happened
14 to your relative in that situation could in any way impair
15 your ability to serve as a juror in this case and render a
16 fair and impartial verdict? Because the charge is
17 essentially the same.

18 JUROR NO. 45: Right. I don't know what to tell
19 you. The thoughts come to my mind.

20 THE COURT: Well, obviously, you know how important
21 this matter is for the State and how important it is for
22 Mr. Washington, the gentleman that's been charged in this
23 case. What we're trying to do is put together 12 people who
24 would not be influenced by anything that may have happened in
25 their own personal lives or anything that they may have heard

1 from any newspaper account, to sit and deliberate in an
2 impartial and a fair manner.

3 So I need to ask you that question again. I need
4 to ask you if what happened to your relative in a similar
5 setting, being the charge of murder, could in any way impair
6 your ability to serve as a juror in a case, in which the
7 allegation is murder, and fairly deliberate this matter based
8 only on the evidence presented?

9 JUROR NO. 45: Based on the evidence, I think I can
10 deal with that.

11 THE COURT: When you say you think --

12 JUROR NO. 45: You know, thoughts come through my
13 mind. It goes over in my mind if I could -- it's not like
14 I -- well, I'm sort of doubtful.

15 THE COURT: You are doubtful that you could render
16 a fair and impartial verdict based on what happened to your
17 relative?

18 JUROR NO. 45: Well, it would be kind of difficult
19 trying to set that aside.

20 THE COURT: Okay, sir. I appreciate your candor.
21 Thank you.

22 THE BAILIFF: Number 46.

23 THE COURT: Good morning , sir. You are juror
24 number 46?

25 JUROR NO. 46: Yes.

1 THE COURT: What was your answer to that question,
2 please?

3 JUROR NO. 46: What question?

4 THE COURT: Whether or not you have heard anything
5 about this case from any news media, television or any
6 source.

7 JUROR NO. 46: The news.

8 THE COURT: What have you heard about this case,
9 sir?

10 JUROR NO. 46: That he shot two people, killed one
11 of them, Marlo's delivery guys.

12 THE COURT: And did you hear this from television
13 or newspapers?

14 JUROR NO. 46: TV.

15 THE COURT: No newspaper?

16 JUROR NO. 46: Some news.

17 THE COURT: How long ago was this that you heard
18 these accounts?

19 JUROR NO. 46: A couple months ago, I imagine.

20 THE COURT: Anything since then?

21 JUROR NO. 46: Not really, no.

22 THE COURT: Based on what you may have heard about
23 this case from any news media source, could that information
24 in any way impair your ability to serve as a juror in this
25 case and render a fair and impartial verdict based only on

1 the evidence to be presented?

2 JUROR NO. 46: I don't know. I'm tired of hearing
3 about the guy, Mr. Washington.

4 THE COURT: Okay. But my specific question is,
5 based on what you have heard about this case --

6 JUROR NO. 46: Could it influence me?

7 THE COURT: Could it in any way impair your ability
8 to serve as a juror and render a fair and impartial verdict?

9 JUROR NO. 46: Not really.

10 THE COURT: When you indicate that you are tired of
11 hearing about Mr. Washington, what did you mean by that?

12 JUROR NO. 46: I mean all the negative stuff I keep
13 hearing in the news about him.

14 THE COURT: In addition to what you may have heard
15 in the news media and all of the negative information, could
16 any of that in any way impair your ability to serve as a
17 juror and render a fair and impartial verdict based only on
18 the evidence?

19 JUROR NO. 46: Well, that's hard to say. Not
20 really. I would say no. If I had to give an answer, no.

21 THE COURT: You would say no, it wouldn't impair
22 your ability?

23 JUROR NO. 46: No, un-uh.

24 THE COURT: Okay, sir, thank you.

25 MR. COHEN: Your Honor, may we inquire?

1 THE COURT: Sir, please come back.

2 MR. COHEN: I just want to inquire about the
3 negative information that he heard from the newspapers.

4 THE COURT: What negative information have you
5 heard about Mr. Washington from the newspapers?

6 JUROR NO. 46: Well, just the part about the guys
7 weren't trying to be aggressive towards him and that he
8 shouldn't have shot them. Pretty much, I guess, is just what
9 the media says. That's a bias. That's just their opinion.

10 THE COURT: Okay, sir. Thank you.

11 THE BAILIFF: Number 47.

12 THE COURT: Yes, ma'am, good morning. You're juror
13 number 47?

14 JUROR NO. 47: Yes.

15 THE COURT: What was your answer to that question
16 about what you may have heard about this case?

17 JUROR NO. 47: That I have heard about it.

18 THE COURT: From the news media?

19 JUROR NO. 47: And television.

20 THE COURT: And what have you heard?

21 JUROR NO. 47: That there was an incident at
22 somebody's house with Marlo's deliverymen and it ended up
23 being a shooting.

24 THE COURT: How long ago was that you heard that?

25 JUROR NO. 47: I had a kidney transplant, so I

1 don't remember some stuff like that. But it didn't mean
2 anything to me, so I kind of skimmed over it.

3 THE COURT: Based on what you have heard about this
4 case from any news media account, could that information in
5 any way impair your ability to serve as a juror in this case
6 and render a fair and impartial verdict based only on the
7 evidence?

8 JUROR NO. 47: There's not enough information.

9 THE COURT: I'm sorry?

10 JUROR NO. 47: I don't have enough information.

11 THE COURT: So what you have heard would not
12 impair --

13 JUROR NO. 47: It would not impair it.

14 THE COURT: Alright, ma'am. You indicate you
15 recently had a kidney transplant.

16 JUROR NO. 47: Um-hmm.

17 THE COURT: Is that causing you any physical
18 difficulty where it may cause you to have any extreme
19 discomfort during a lengthy trial?

20 JUROR NO. 47: No. I just have to make sure I take
21 medication on time.

22 THE COURT: And you have the medications?

23 JUROR NO. 47: Yes.

24 THE COURT: So you're not on under any stress?

25 JUROR NO. 47: No. It's eight, six, ten.

1 THE COURT: Well, you look completely healthy, so
2 I'm glad you have them.

3 THE BAILIFF: Number 48.

4 THE COURT: You are juror number 48, sir?

5 JUROR NO. 48: Right.

6 THE COURT: And what is your answer to that
7 question, sir?

8 JUROR NO. 48: Well, the only thing I know about it
9 is what I've heard in the news. I know the news don't give
10 all the facts. So until it goes to trial and you get all the
11 facts. Otherwise, I'm not making any personal decisions.

12 THE COURT: What have you heard from the news
13 media?

14 JUROR NO. 48: Other than the fact that these two
15 movers went in, and this Mr. Washington was supposed to have
16 shot them, killed one and I think wounded the other. His
17 story was that they attacked him, you know. That's about it.
18 It's been hashed over quite a few times.

19 THE COURT: When did you hear what you heard?
20 Recently or --

21 JUROR NO. 48: Not recently. The news has kind of
22 died down a little bit now. But in the beginning it was on
23 the news quite a bit.

24 THE COURT: Television or newspapers?

25 JUROR NO. 48: Both.

1 THE COURT: Based on what you may have heard about
2 this case from any media account, could that information in
3 any way impair your ability to serve as a juror in this case
4 an render a fair and impartial verdict based only on the
5 evidence?

6 JUROR NO. 48: On what I've read in the paper and
7 seen on the news in itself, no. I'd have to have all the
8 facts, and the trial will bring that out.

9 THE COURT: Alright, sir. Thank you.

10 THE BAILIFF: Number 49.

11 THE COURT: Good morning, ma'am. You are juror
12 number 49?

13 JUROR NO. 49: Yes.

14 THE COURT: What is your response to that question,
15 please?

16 JUROR NO. 49: Yes, I've heard it on the news.

17 THE COURT: What have you heard specifically?

18 JUROR NO. 49: Just, basically, that he had shot
19 some deliverymen coming in because he had other issues, and
20 he had had other incidents as well.

21 THE COURT: And was that from a television or from
22 newspaper accounts?

23 JUROR NO. 49: Television, newspaper and friends.

24 THE COURT: How long ago did you hear that, if you
25 recall?

1 JUROR NO. 49: Oh, it's been a while. About -- I
2 don't know. About three or four months. It's been a while.

3 THE COURT: You said you also heard information
4 from friends.

5 JUROR NO. 49: Um-hmm.

6 THE COURT: Do you mean friends who had heard these
7 accounts through the news media?

8 JUROR NO. 49: Yes.

9 THE COURT: And you haven't heard anything for
10 about two or three months, you say?

11 JUROR NO. 49: No.

12 THE COURT: Based on what you have heard from any
13 news media account, could that information in any way impair
14 your ability to serve as a juror in this case and render a
15 fair and impartial verdict?

16 JUROR NO. 49: I don't think so.

17 THE COURT: When you say you don't think so --

18 JUROR NO. 49: Okay, no.

19 THE COURT: Alright, ma'am. It looks like we're
20 missing some information. Usually, on the forms that are
21 filled out -- I apologize to you, but I'm going to have to
22 ask your age.

23 JUROR NO. 49: Oh, 46.

24 THE COURT: And your education, please?

25 JUROR NO. 49: College.

1 THE COURT: And whether you're married or single?

2 JUROR NO. 49: Married.

3 THE COURT: And what is your husband's occupation,
4 please?

5 JUROR NO. 49: A minister.

6 THE COURT: And your occupation?

7 JUROR NO. 49: Senior manager.

8 THE COURT: Thank you very much, ma'am.

9 MR. COHEN: You stated he had other issues. You
10 had heard that he had other issues. May I inquire about what
11 other issues that you were speaking about?

12 JUROR NO. 49: That he had mental issues and
13 financial problems. And paranoia.

14 MR. WRIGHT: What was the last statement?

15 THE COURT: Mental issues and financial problems.

16 MR. COHEN: And I believe she said paranoia as
17 well. And you had said other incidents you had heard about.
18 Did I hear you correctly?

19 JUROR NO. 49: Yes, you did hear me correctly. I
20 forgot the other two incidents. I'm sorry. A real estate
21 guy came to his house or something of that nature.

22 THE COURT: Alright, ma'am. Thank you.

23 THE BAILIFF: Number 50.

24 THE COURT: Good morning. You are juror number 50;
25 is that correct?

1 JUROR NO. 50: Yes, sir.

2 THE COURT: What was your response to that
3 question, please?

4 JUROR NO. 50: Yes.

5 THE COURT: And what have you heard about this
6 case?

7 JUROR NO. 50: I just saw it on the news.

8 THE COURT: And what is it that you recall them
9 telling you on the news about this case?

10 JUROR NO. 50: Some delivery furniture or whatever.
11 I don't really remember, but I know I've seen it in the news,
12 so that's why I stood up.

13 THE COURT: How long ago was this; do you remember?

14 JUROR NO. 50: I think it was when it just
15 happened.

16 THE COURT: Based on what you may have heard about
17 this case from any newspaper or television source or any
18 source, could that information in any way impair your ability
19 to serve as a juror in this case and render a fair and
20 impartial verdict based only on the evidence to be presented?

21 JUROR NO. 50: No, sir, because, like I said, I
22 don't really know much about it.

23 THE COURT: I appreciate it.

24 THE BAILIFF: Number 57.

25 THE COURT: Good morning, sir. You're juror number

1 57; is that correct?

2 JUROR NO. 57: Yes.

3 THE COURT: What was your response to that
4 question, please?

5 JUROR NO. 57: I think I heard about it on the
6 radio, but that's about it.

7 THE COURT: How long ago was that; do you remember?

8 JUROR NO. 57: No.

9 THE COURT: Do you remember what you may have heard
10 about the case from the radio?

11 JUROR NO. 57: That there was a murder in Accokeek.

12 THE COURT: Do you remember any of the details that
13 were provided?

14 JUROR NO. 57: That you had provided?

15 THE COURT: That anyone provided from any
16 newspapers, radio, television accounts? Do you recall
17 anything that you may have heard about the specifics?

18 JUROR NO. 57: No.

19 THE COURT: How long ago was that; do you remember?

20 JUROR NO. 57: Maybe a month or two. I'm not
21 really sure.

22 THE COURT: Based on anything that you may have
23 heard from the radio or any other news account, could that
24 information in any way impair your ability to serve as a
25 juror in this case and render a fair and impartial verdict

1 based only on the evidence to be presented?

2 JUROR NO. 57: No, it shouldn't affect it.

3 THE COURT: Thank you, sir.

4 MR. WRIGHT: Can we ask where he is employed as a
5 correctional officer?

6 THE COURT: Well, those questions are coming up.

7 MR. WRIGHT: Well, I thought since he was here.

8 THE COURT: Well, then he'll come back again.

9 Thank you, sir.

10 THE BAILIFF: Number 58.

11 THE COURT: Good morning, sir. You are juror
12 number 58; is that correct?

13 JUROR NO. 58: Yes, sir.

14 THE COURT: What was your response to that
15 question, please?

16 JUROR NO. 58: Well, my response is I've heard
17 about it through the media. We used to talk about it because
18 it seemed like an interesting case, and I've already formed
19 my opinions on it.

20 THE COURT: What is that opinion?

21 JUROR NO. 58: That opinion is that the defendant
22 is definitely guilty and did it out of malice.

23 THE COURT: Alright, sir. Thank you. I appreciate
24 it.

25 THE BAILIFF: Number 59.

1 THE COURT: Good morning, ma'am. You are juror
2 number 59; is that correct?

3 JUROR NO. 59: Yes.

4 THE COURT: What is your response to that question,
5 please?

6 JUROR NO. 59: I have some knowledge but not a
7 whole lot.

8 THE COURT: And how did you gain whatever knowledge
9 you may have? From the newspaper accounts or --

10 JUROR NO. 59: No, they were talking about it at
11 work.

12 THE COURT: So not from the news media at all, but
13 from accounts that you heard at work?

14 JUROR NO. 59: Yes.

15 THE COURT: From friends or coworkers?

16 JUROR NO. 59: Coworkers.

17 THE COURT: What is it that you heard?

18 JUROR NO. 59: Something in reference to the case.
19 I think somebody was delivering some furniture and got shot,
20 something to that effect.

21 THE COURT: How long ago did you hear that, to the
22 best of your recollection?

23 JUROR NO. 59: Long enough for me to kind of forget
24 about it.

25 THE COURT: Based on anything that you may have

1 heard about this case from any source prior to today, could
2 that information in any way impair your ability to serve as a
3 juror in this case and render a fair and impartial verdict?

4 JUROR NO. 59: No.

5 THE COURT: Thank you, ma'am.

6 THE BAILIFF: Number 60.

7 THE COURT: Good morning, sir. You're juror number
8 60; is that correct?

9 JUROR NO. 60: Yes.

10 THE COURT: What was your response to that
11 question?

12 JUROR NO. 60: Yes. I heard about it this morning.

13 THE COURT: What did you hear and from what source?

14 JUROR NO. 60: I think it was Fox News.

15 THE COURT: And what did you hear specifically?

16 JUROR NO. 60: A P. G. cop shot some furniture
17 deliverers; shot and killed one and injured the other.

18 THE COURT: And how long ago did you hear that?

19 JUROR NO. 60: This morning.

20 THE COURT: Had you heard anything else before this
21 morning?

22 JUROR NO. 60: A little something.

23 THE COURT: The same kind of information?

24 JUROR NO. 60: Yes.

25 THE COURT: So was it *The Washington Post* you hard

1 about this morning or --

2 JUROR NO. 60: I think it was Fox 5 or something.

3 THE COURT: Based on the information that you heard
4 from any of those sources, could that information in any way
5 impair your ability to serve as a juror in this case and
6 render a fair and impartial verdict based only on the
7 evidence?

8 JUROR NO. 60: Kind of, because I feel a certain
9 way about the P. G. cops. I just think, you know, they're
10 kind of trigger happy anyway. That's just the way I feel.

11 THE COURT: Obviously, this is an important matter
12 for the State of Maryland, and it's an important matter for
13 the defendant Mr. Washington, and we are trying to put
14 together a group of people who could sit and deliberate on a
15 jury without being influenced by any outside information or
16 by any opinion that they have formed about any aspect of the
17 case earlier.

18 Specifically, I have to ask you if, based on any
19 personal opinion you hold or based on information you may
20 have heard, could that in any way impair your ability to
21 serve as a juror in this case and render a fair and impartial
22 verdict?

23 JUROR NO. 60: Probably so. Maybe so; maybe not.
24 I'm not sure.

25 THE COURT: You mentioned to us at the bench that

1 you have some opinion of the Prince George's County police.

2 What is that opinion?

3 JUROR NO. 60: I think they basically trigger
4 happy, that sort of thing.

5 THE COURT: Okay. And if you have formed that
6 opinion in this matter regarding the Prince George's County
7 police, could that in any way impair your ability to serve as
8 a juror in this case --

9 JUROR NO. 60: I think it might.

10 THE COURT: Alright, sir. I appreciate it. Thank
11 you.

12 THE BAILIFF: Number 61.

13 THE COURT: Good morning, sir. You are --

14 JUROR NO. 61: Do you need this thing?

15 THE COURT: I'm sorry?

16 JUROR NO. 61: Do you need this thing?

17 THE COURT: I don't know what it is. No, sir, I
18 don't. You hold onto this.

19 You are juror number 61; is that correct?

20 JUROR NO. 61: Yes.

21 THE COURT: What was your response to that
22 question, please, about what you may have heard about this
23 case?

24 JUROR NO. 61: I honestly didn't hear anything
25 about this case.

1 THE COURT: So you're not aware of anything about
2 this case from the few facts that I have given?

3 JUROR NO. 61: No.

4 THE COURT: And you don't remember hearing anything
5 at all in the newspapers, news media or press?

6 JUROR NO. 61: Not that I know. It was a while
7 ago. It was 2007, right? January, 2007?

8 THE COURT: Yes. Did you hear anything at all when
9 it happened?

10 JUROR NO. 61: No.

11 THE COURT: Or allegedly happened?

12 JUROR NO. 61: No, sir.

13 THE COURT: Thank you.

14 THE BAILIFF: Number 62.

15 THE COURT: Good morning, sir. You are juror
16 number 62; is that correct?

17 JUROR NO. 62: Yes.

18 THE COURT: And what was your response to that
19 question, please?

20 JUROR NO. 62: Yes, I know about it.

21 THE COURT: What have you heard about it, if
22 anything?

23 JUROR NO. 62: Guys were in his house delivering
24 furniture. He shot them. He's had prior problems. That's
25 about all I know.

1 THE COURT: And from what news media account or
2 other source did you hear that information?

3 JUROR NO. 62: Like CNN and Fox and stuff like
4 that.

5 THE COURT: Do you remember how long ago?

6 JUROR NO. 62: It was a while.

7 THE COURT: Have you heard anything recently?

8 JUROR NO. 62: No.

9 THE COURT: Based on what you may have heard about
10 this matter or about Mr. Washington from any media source or
11 any other source whatsoever, could that information in any
12 way impair your ability to serve as a juror in this case and
13 render a fair and impartial verdict based only on the
14 evidence?

15 JUROR NO. 62: Yes.

16 THE COURT: And why do you say that?

17 JUROR NO. 62: Because I believe police officers
18 use excessive force.

19 THE COURT: Alright, sir. I appreciate it.

20 THE BAILIFF: Number 63.

21 THE COURT: Good morning, sir. You're juror number
22 63; is that correct?

23 JUROR NO. 63: Yes, sir.

24 THE COURT: What is your response to that question,
25 sir, about anything you may have heard about this case from

1 any source?

2 JUROR NO. 63: The media.

3 THE COURT: And what have you heard about the case?

4 JUROR NO. 63: Mostly what the media is saying
5 about the shooting. That's it.

6 THE COURT: What is it specifically that you heard
7 the media say about the shooting?

8 JUROR NO. 63: That the officer shot two of the
9 guys delivering the furniture; one passed and one was in the
10 hospital months ago.

11 THE COURT: Do you recall whether that was
12 newspapers or television or both?

13 JUROR NO. 63: Television.

14 THE COURT: How long ago was that, sir?

15 JUROR NO. 63: A year.

16 THE COURT: Have you heard anything since then?

17 JUROR NO. 63: No, sir. I thought it was over.

18 THE COURT: Based on what you may have heard from
19 any media account of this matter, could that in any way
20 impair your ability to serve as a juror in this case and
21 render a fair and impartial verdict based only on the
22 evidence?

23 JUROR NO. 63: No, sir.

24 THE COURT: Thank you, sir. I appreciate it.

25 THE BAILIFF: Number 64.

1 THE COURT: You are juror number 64; is that
2 correct?

3 JUROR NO. 64: Yes.

4 THE COURT: What was your response to that
5 question?

6 JUROR NO. 64: I have two. One is I seen it all on
7 the news, and the other one, I'm really prejudiced against
8 black people going to jail. So I don't think I'm fit for
9 this case.

10 THE COURT: So what you are saying -- well, let me
11 ask you the first question. Do you recall from what source
12 you heard about this case?

13 JUROR NO. 64: From the news and people at work.

14 THE COURT: And what is it that you've heard about
15 this case?

16 JUROR NO. 64: Well, actually, several. One, that
17 he shot somebody before this case actually happened, and then
18 about the case itself, about he shot somebody delivering a
19 bed to him. I mean, I don't like to see businessmen, you
20 know, go to jail. With me, personally, I think you should
21 take their money.

22 THE COURT: Okay. From what you have heard about
23 this case from any newspapers or media source, could that
24 information in any way impair your ability to serve as a
25 juror in this case and render a fair and impartial verdict

1 based only on the evidence?

2 JUROR NO. 64: Yes.

3 THE COURT: Alright, sir. Thank you. I appreciate
4 it.

5 THE BAILIFF: Number 65.

6 THE COURT: Good morning, sir. You are juror
7 number 65?

8 JUROR NO. 65: Yes.

9 THE COURT: What was your response to that
10 question, please?

11 JUROR NO. 65: Did I have an opinion?

12 THE COURT: Well, not yet, but what was your
13 response to the question about what have you heard about this
14 case?

15 JUROR NO. 65: I've been following it fairly
16 closely, and I read an article in today's paper.

17 THE COURT: So you've heard accounts on television
18 and newspapers?

19 JUROR NO. 65: Mainly, the newspaper.

20 THE COURT: What have you heard about this case?

21 JUROR NO. 65: Well, there was an article this
22 morning about psychiatric evidence that's isn't going to be
23 allowed. I don't really agree with that. And I know the
24 history of the defendant.

25 THE COURT: How do you know the history of the

1 defendant?

2 JUROR NO. 65: Just from what I've read, about his
3 short temper, and I know you got other trials pending and
4 lawsuits pending.

5 THE COURT: Based on what you may have heard from
6 any media source or other account of this case, could that
7 information in any way impair your ability to serve as a
8 juror in this case and render a fair and impartial verdict
9 based only on the evidence that's presented during trial?

10 JUROR NO. 65: I think I've already formed an
11 opinion, so it might, yes.

12 THE COURT: What is that opinion?

13 JUROR NO. 65: I think he's guilty.

14 THE COURT: Alright, sir. Thank you.

15 THE BAILIFF: Number 66.

16 THE COURT: Good morning, sir. You are juror
17 number 66?

18 JUROR NO. 66: That's right.

19 THE COURT: And what was your response to that
20 question, please?

21 JUROR NO. 66: I do remember.

22 THE COURT: And what do you recall hearing about
23 the case, if anything?

24 JUROR NO. 66: I think the story was about a
25 policeman who may have shot two people. I don't recall much

1 else.

2 THE COURT: So was that from television or
3 newspaper accounts?

4 JUROR NO. 66: I think it was television news.

5 THE COURT: Do you recall how long ago it was?

6 JUROR NO. 66: Not quite a year.

7 THE COURT: Have you heard anything since then?

8 JUROR NO. 66: Very little. I vaguely remember.

9 THE COURT: Based on what you may have heard from
10 any media account of this matter, could that information in
11 any way impair your ability to serve as a juror on this case
12 and render a fair and impartial verdict based only on the
13 evidence to be presented?

14 JUROR NO. 66: I don't think so.

15 THE COURT: Thank you, sir. I appreciate it.

16 JUROR NO. 66: Could I ask you a quick question?

17 THE COURT: Yes.

18 JUROR NO. 66: Are we allowed to read while we're
19 waiting here?

20 THE COURT: Are you allowed to read while you're
21 waiting here?

22 JUROR NO. 66: Yeah. The woman came by and said
23 you're not supposed to.

24 THE COURT: We're not supposed to when the court is
25 in session, when we're going through this process. So I

1 apologize to you. You could miss a question. You could
2 potentially miss something that we ask, which could cause a
3 mistrial. And the reason they're doing it, they're following
4 the process. I apologize to you.

5 JUROR NO. 66: Okay.

6 THE BAILIFF: Number 67.

7 THE COURT: Good morning, ma'am. You are juror
8 number 67; is that correct?

9 JUROR NO. 67: Yes.

10 THE COURT: What was your response to that
11 question, please?

12 JUROR NO. 67: Well, I've heard quite extensive
13 things about this case.

14 THE COURT: From television and newspaper?

15 JUROR NO. 67: Through that, through the
16 corrections department, through police officers.

17 THE COURT: And what have you heard about this
18 case?

19 JUROR NO. 67: I've heard quite a bit about his
20 demeanor, his personality, certain things.

21 THE COURT: And based on what you have heard about
22 this case and certain settings with regard to the defendant
23 Mr. Washington, could that information in any way impair your
24 ability to serve as a juror in this case and render a fair
25 and impartial verdict based only on the evidence?

1 JUROR NO. 67: Yeah, I think it would.

2 THE COURT: Alright, ma'am. I appreciate it.

3 THE BAILIFF: Number 68.

4 THE COURT: Good morning, sir. You are juror
5 number 68; is that correct?

6 JUROR NO. 68: Yes, sir.

7 THE COURT: And what was your response to that
8 question, please?

9 JUROR NO. 68: I am familiar with the case. I'm a
10 police officer.

11 THE COURT: As a result of your occupation as a
12 Prince George's County police officer and knowledge that you
13 may have gained about this case from either the department or
14 from any newspaper sources, could that information in any way
15 impair your ability to serve as a juror in this case and
16 render a fair and impartial verdict?

17 JUROR NO. 68: Yes.

18 THE COURT: Thank you, sir. I appreciate it.

19 THE BAILIFF: Number 70.

20 THE COURT: Good morning, sir. You are juror
21 number 70; is that correct?

22 JUROR NO. 70: Yes.

23 THE COURT: What is your response to this question?

24 JUROR NO. 70: It was a yes.

25 THE COURT: What have you heard about this case?

1 JUROR NO. 70: Living right here in Upper Marlboro,
2 any information that's put in *The Star*, you know, the paper
3 that comes out on Thursday.

4 THE COURT: What have you heard about this matter?

5 JUROR NO. 70: The last thing that I read was that
6 the police officer was put on administrative leave, and I
7 haven't read anything since then.

8 THE COURT: Do you recall any of the alleged facts
9 in this case?

10 JUROR NO. 70: Only that a delivery was made to the
11 home and that there was an altercation.

12 THE COURT: Based on what you may have heard about
13 this case from any newspaper or other media account, could
14 that information in any way impair your ability to serve as a
15 juror in this case and render a fair and impartial verdict
16 based only on the evidence?

17 JUROR NO. 70: Well, I would say no. But the only
18 problem I have is I'm on vacation out of town starting
19 Wednesday. That's the only problem. Me and my wife's
20 wedding anniversary. I thought it was a one-day trial,
21 according to the paper.

22 THE COURT: Have you been excused by the jury
23 commissioner's office on Wednesday?

24 JUROR NO. 70: No.

25 THE COURT: Alright, sir. We'll do the best we can

1 do. If you can have a seat.

2 THE BAILIFF: Number 71.

3 THE COURT: Good morning, sir. You are juror
4 number 71; is that correct.

5 JUROR NO. 71: Yes, sir.

6 THE COURT: What was your response to that
7 question, please?

8 JUROR NO. 71: I seen it on the TV.

9 THE COURT: How long ago?

10 JUROR NO. 71: A couple of months ago.

11 THE COURT: And what do you recall hearing about it
12 from the television?

13 JUROR NO. 71: Not much.

14 THE COURT: Do you remember any of the specifics?

15 JUROR NO. 71: No.

16 THE COURT: Based on what you may have heard about
17 this case from any television account, could that information
18 in any way impair your ability to serve as a juror in this
19 case and render a fair and impartial verdict based only on
20 the evidence?

21 JUROR NO. 71: No, because they didn't tell much.

22 THE COURT: Alright, sir. Thank you. Appreciate
23 it.

24 THE BAILIFF: Number 72.

25 THE COURT: Good morning, sir. You are juror

1 number 72; is that correct?

2 JUROR NO. 72: Yes, sir.

3 THE COURT: And what was your response to that
4 question, please?

5 JUROR NO. 72: I don't know.

6 THE COURT: Pardon me?

7 JUROR NO. 72: I don't know. I've never heard
8 about it before.

9 THE COURT: You've never had a --

10 JUROR NO. 72: A case.

11 THE COURT: No, no. I know that. My question to
12 you, have you heard anything about this case whatsoever?

13 JUROR NO. 72: No.

14 THE COURT: No newspaper account, no media account,
15 no nothing?

16 JUROR NO. 72: No.

17 THE COURT: Thank you.

18 MR. COHEN: Your Honor, I know it's taking a while.
19 I just wanted to ask can we inquire why they're coming up for
20 that question if they have never heard about the media
21 reports?

22 THE COURT: You're saying what?

23 MR. COHEN: Can we inquire about why they're coming
24 up for that question if they've never heard about the media
25 reports?

1 THE COURT: It's been my experience that most
2 people, they don't know how to respond, but I will do that.

3 MR. COHEN: Thank you.

4 THE COURT: I'm sorry. What's your juror number?

5 JUROR NO. 73: Seventy-three.

6 THE COURT: And what was your response to that
7 question, please?

8 JUROR NO. 73: I just know a little bit about it.

9 THE COURT: And what have you heard about it?

10 JUROR NO. 73: A cop that shot some people moving
11 furniture.

12 THE COURT: Do you recall how you heard that?

13 JUROR NO. 73: The media.

14 THE COURT: Television or newspaper?

15 JUROR NO. 73: Television.

16 THE COURT: Do you remember how long ago?

17 JUROR NO. 73: A year ago.

18 THE COURT: Nothing since, to the best of your
19 knowledge?

20 JUROR NO. 73: No.

21 THE COURT: Based on what you have heard about this
22 case from any news media account, could that information in
23 any way impair your ability to serve as a juror on this case
24 and render a fair and impartial verdict?

25 JUROR NO. 73: No.

1 THE COURT: Thank you, sir.

2 THE BAILIFF: Number 74.

3 THE COURT: Good morning, ma'am. You are juror
4 number 74?

5 JUROR NO. 74: I'm 74.

6 THE COURT: What was your response to the question
7 that we asked? What have you heard about this case, if
8 anything?

9 JUROR NO. 74: Well, I just heard, you know, what
10 was on the news; like, you know, some deliverymen went into
11 his house and he shot them for no reason.

12 THE COURT: Was that from television or newspaper?

13 JUROR NO. 74: Television and newspaper.

14 THE COURT: How long ago was that that you heard
15 that?

16 JUROR NO. 74: When it first happened. I don't
17 remember the date.

18 THE COURT: Anything since then, to the best of
19 your knowledge?

20 JUROR NO. 74: No, sir.

21 THE COURT: Based on what you have heard in any
22 television and newspaper accounts of this case, could that
23 information in any way impair your ability to serve as a
24 juror in this case and render a fair and impartial verdict
25 based only on the evidence?

1 JUROR NO. 74: I believe so.

2 THE COURT: And why do you believe that, ma'am?

3 JUROR NO. 74: Well, I mean, I've had -- I've had
4 like four nephews that were incarcerated, and I just didn't
5 think that they should have been. So I'm not sure whether I
6 could give partial --

7 THE COURT: So you believe that what happened to
8 your nephews in criminal cases could influence, impair your
9 decision in this case?

10 JUROR NO. 74: I do.

11 THE COURT: Thank you, ma'am. I appreciate it.

12 THE BAILIFF: Number 75.

13 THE COURT: Good morning, sir. You are juror
14 number 75; is that correct?

15 JUROR NO. 75: Yes.

16 THE COURT: And what was your answer to that
17 question, please?

18 JUROR NO. 75: Oh, the news media, Fox 5.

19 THE COURT: What have you heard about this case?

20 JUROR NO. 75: Oh. Alleged the shooter was a
21 police officer and this guy is just moving in, right? They
22 were just movers and, from what I understand, it was
23 something that he asked for, right? He asked for them to
24 come to move something. It just went wrong.

25 THE COURT: Do you remember how long ago you heard

1 this account?

2 JUROR NO. 75: Oh, it had to have been maybe three,
3 four months ago.

4 THE COURT: Have you heard anything since?

5 JUROR NO. 75: No.

6 THE COURT: Based on what you have heard about this
7 case from any news media account, could that information in
8 any way impair your ability to serve as a juror in this case
9 and render a fair and impartial verdict based only on the
10 evidence?

11 JUROR NO. 75: Yes. I'm hearing it.

12 THE COURT: Yes, you believe that the
13 information --

14 JUROR NO. 75: I don't think I could be fair.

15 THE COURT: Alright, sir. I appreciate it.

16 THE BAILIFF: Number 76.

17 THE COURT: Good morning, ma'am. You are juror
18 number 76?

19 JUROR NO. 76: Yes.

20 THE COURT: What was your response to that
21 question, please?

22 JUROR NO. 76: I do have knowledge of the case.

23 THE COURT: And how do you have knowledge?

24 JUROR NO. 76: Through the media, but I also come
25 from a cop family.

1 THE COURT: You come from a police family?

2 JUROR NO. 76: Yeah. I think I donated to a
3 defense fund.

4 THE COURT: What have you heard about this case
5 from the news media?

6 JUROR NO. 76: A police officer shot two people.
7 One died; one didn't. He's being charged that it was a bad
8 shooting.

9 THE COURT: And family members of yours are police
10 officers?

11 JUROR NO. 76: And close friends, yes.

12 THE COURT: And close friends are police officers.
13 Okay. Have you heard anything about this case from them?

14 JUROR NO. 76: That the charges are ludicrous and
15 they should be dropped. It's been a year since we've had
16 conversations about it.

17 THE COURT: Then based on what you have heard from
18 any news media account, or based on what you have heard from
19 any police officer, acquaintances or associates about this
20 matter, do you believe that that information could in any way
21 impair your ability to serve as a juror in this case and
22 render a fair and impartial verdict based only on the
23 evidence?

24 JUROR NO. 76: I'd like to say no, but I believe it
25 would.

1 THE COURT: You believe it would.

2 JUROR NO. 76: I think it would.

3 THE COURT: Thank you, ma'am. I appreciate it.

4 THE BAILIFF: Number 77.

5 THE COURT: Good morning, ma'am. You are juror
6 number 77?

7 JUROR NO. 77: Um-hmm.

8 THE COURT: Yes, ma'am. And what is your response
9 to that question about what you may have heard about this
10 case?

11 JUROR NO. 77: Just what I heard on the media.

12 THE COURT: And what have you heard from the media?

13 JUROR NO. 77: There was a gentleman who had
14 furniture being delivered. In the process, two people were
15 shot; one was killed. I think he assumed he was being
16 robbed, if I remember correctly, and that's why he supposedly
17 shot at the two gentlemen. The two gentlemen say they were
18 just delivering furniture.

19 THE COURT: Do you remember whether this was from a
20 newspaper account or television or both?

21 JUROR NO. 77: Television.

22 THE COURT: How long ago was that?

23 JUROR NO. 77: It was a while ago.

24 THE COURT: Have you heard anything since then?

25 JUROR NO. 77: No, sir.

1 THE COURT: Based on what you have heard from any
2 newspaper or television account, could that information in
3 any way impair your ability to serve as a juror in this case
4 and render a fair and impartial verdict based only on the
5 evidence?

6 JUROR NO. 77: No, Your Honor.

7 THE COURT: Thank you, ma'am. I appreciate it.

8 THE BAILIFF: Number 78.

9 THE COURT: Good morning, sir. You are juror
10 number 78; is that correct?

11 JUROR NO. 78: Yes, sir.

12 THE COURT: What is your response to the question
13 about what you may have heard about this case?

14 JUROR NO. 78: On the news and talked about it at
15 work.

16 THE COURT: And what have you heard about this case
17 specifically?

18 JUROR NO. 78: Just what the news, you know,
19 reported.

20 THE COURT: Do you remember?

21 JUROR NO. 78: Yeah. The two people delivered
22 stuff to his house and were shot. I don't know. Basically,
23 something happened and one person was killed and one person
24 was in a coma.

25 THE COURT: And what account did you hear from any

1 friends about it?

2 JUROR NO. 78: Basically, they thought he was
3 guilty for shooting somebody.

4 THE COURT: Based on what you have heard from any
5 news media account or from what you may have heard or
6 discussed with your friends about this case, could that in
7 any way impair your ability to serve as a juror in this case
8 and render a fair and impartial verdict based only on the
9 evidence?

10 JUROR NO. 78: Yeah, I think so.

11 THE COURT: And what -- why do you believe that?

12 JUROR NO. 78: Just from the news accounts, talking
13 about it a little at work, and just people, in general,
14 talking about it.

15 THE COURT: Alright, sir. Thank you. I appreciate
16 it.

17 THE BAILIFF: Number 79.

18 THE COURT: Good morning, ma'am. You are juror
19 number 79, correct?

20 JUROR NO. 79: I am.

21 THE COURT: What is your response to anything you
22 may have heard about this case?

23 JUROR NO. 79: I remember hearing about it on the
24 news, but that's kind of it.

25 THE COURT: Do you remember what you heard about

1 this case?

2 JUROR NO. 79: I remember that two people were
3 delivering furniture to a gentleman's house. The gentleman
4 was something with law enforcement. Then two people died,
5 and they said the former law enforcement person did it. I
6 don't remember a lot of details.

7 THE COURT: How long ago was that; do you remember?

8 JUROR NO. 79: I know because you said a little
9 while ago that it was over a year ago.

10 THE COURT: Since that time have you heard anything
11 else?

12 JUROR NO. 79: I think I've seen an article or two
13 in passing, maybe in the Post, but nothing --

14 THE COURT: Based on what you have heard from any
15 news account or any other source of information, could that
16 information in any way impair your ability to serve as a
17 juror in this case and render a fair and impartial verdict
18 based only on the evidence?

19 JUROR NO. 79: No. I don't remember enough detail.

20 THE COURT: Thank you. I appreciate it.

21 THE BAILIFF: Number 80.

22 THE COURT: Good morning, ma'am. You are juror
23 number 80; is that correct?

24 JUROR NO. 80: Yes.

25 THE COURT: What was your response to the question

1 asking about if you've heard anything about this case?

2 JUROR NO. 80: Yes.

3 THE COURT: Yes, ma'am, and what have you heard
4 about this case?

5 JUROR NO. 80: Just what's on the news.

6 THE COURT: Do you remember what you recall from
7 being on the news?

8 JUROR NO. 80: The Marlo's delivery drivers. He
9 used to be something in the police department.

10 THE COURT: And was that from television or
11 newspaper accounts; to the best of your knowledge?

12 JUROR NO. 80: Oh, television.

13 THE COURT: How long ago was that?

14 JUROR NO. 80: It's been a while. A few months.

15 THE COURT: Have you heard anything since then?

16 JUROR NO. 80: I don't think so.

17 THE COURT: Based on what you have heard from any
18 news media account of this matter, could that information in
19 any way impair your ability to serve as a juror in this case
20 and render a fair and impartial verdict based only on the
21 evidence?

22 JUROR NO. 80: No.

23 THE COURT: Thank you, ma'am.

24 THE BAILIFF: Number 81.

25 THE COURT: Good morning, sir. You are juror

1 number 81; is that correct?

2 JUROR NO. 81: Um-hmm.

3 THE COURT: What was your response to the question
4 about if you had heard anything about this case?

5 JUROR NO. 81: I didn't hear it.

6 THE COURT: You have not heard anything about this
7 case at all?

8 JUROR NO. 81: Un-uh.

9 THE COURT: No television, newspaper reports or any
10 accounts of it?

11 JUROR NO. 81: No.

12 THE COURT: Our question was if you had heard, you
13 would have had to come up. Did you come up for any other
14 reason?

15 JUROR NO. 81: No.

16 THE COURT: Thank you.

17 THE BAILIFF: Number 82.

18 THE COURT: Good morning, ma'am. You are juror
19 number 82; is that correct?

20 JUROR NO. 82: Yes, I am.

21 THE COURT: What was your response to the question,
22 have you heard anything about this case?

23 JUROR NO. 82: Yes, I have.

24 THE COURT: And what have you heard about this
25 case, ma'am?

1 JUROR NO. 82: That two people were murdered or
2 something, something to that effect. I can't remember just
3 what it was, but my mind is already made up.

4 THE COURT: Okay. And how is your mind made up?

5 JUROR NO. 82: Death penalty. Simple as that.

6 THE COURT: Thank you very much. I appreciate it.

7 THE BAILIFF: Number 83.

8 THE COURT: Good morning, ma'am. You are juror
9 number 83?

10 JUROR NO. 83: Yes. My daughter's father is in the
11 hospital and he's critical.

12 THE COURT: Your daughter --

13 JUROR NO. 83: My daughter's father, he's in the
14 hospital and he's brain dead, and they going to pull the plug
15 today. I want to be there for my daughter.

16 MR. COHEN: No objection.

17 MR. MOOMAU: No objection, Your Honor.

18 THE COURT: I'm going to ask you to return back to
19 the jury lounge. Tell them that you have been excused from
20 jury service by me, with no objection by any of the parties.
21 Thank you, ma'am.

22 THE BAILIFF: Number 84.

23 THE COURT: Good morning, sir. You are juror
24 number 84?

25 JUROR NO. 84: Yes, I am.

1 THE COURT: What have you heard about this case, if
2 anything?

3 JUROR NO. 84: Through the newspapers, also on TV.
4 And, also, a friend, not this case specifically, but the
5 gentleman that's on trial, that he was a member of an
6 association, and he brought his problems to the association.
7 So at that point this young lady told me that she considered
8 him to be kind of out there. So that's something that I have
9 heard before.

10 THE COURT: From the media accounts that you've
11 read, do you recall any of the allegations?

12 JUROR NO. 84: Yeah. Two gentlemen delivering
13 furniture to the gentleman's house. He happened to have a
14 confrontation with one of the gentleman, and he didn't like
15 what was said, probably, and he ended up firing his gun on
16 one of the gentlemen that was inside his house.

17 THE COURT: Based on what you may have heard from
18 any newspaper account or other media account of this case,
19 and anything you may have heard from any coworkers or
20 friends, could that information in any way impair your
21 ability to serve as a juror in this case and render a fair
22 and impartial verdict based only on the evidence?

23 JUROR NO. 84: Well, Your Honor, I don't --
24 specifically, I know this country was founded on having guns
25 as a part of defending your own self. I don't like guns, for

1 one thing, and I've been through the boy scouts and so on,
2 and I know I have used guns before. But in the altercation,
3 I think the laws do not go far enough in terms of trying to
4 weed out people that should not have guns.

5 So for one thing, I do not own a gun myself, I
6 would not pull a gun on anyone, and so I do have a bias.

7 THE COURT: Okay. I appreciate your candor, sir.
8 Thank you.

9 THE BAILIFF: Number 85.

10 THE COURT: Good morning , ma'am. You are juror
11 number 85; is that correct?

12 JUROR NO. 85: Yes.

13 THE COURT: What was your response to that
14 question?

15 JUROR NO. 85: That I heard about it on the media.

16 THE COURT: And do you recall what you may have
17 heard?

18 JUROR NO. 85: I heard that an ex-police officer
19 shot a guy who was bringing furniture to his house. They had
20 an argument.

21 THE COURT: How long ago was that that you heard
22 it?

23 JUROR NO. 85: I can't remember.

24 THE COURT: Heard anything since then?

25 JUROR NO. 85: No.

1 THE COURT: Based on what you have heard about this
2 case from any news media account, could that information in
3 any way impair your ability to serve as a juror in this case
4 and render a fair and impartial verdict based only on the
5 evidence?

6 JUROR NO. 85: Not really.

7 THE COURT: When you say not really --

8 JUROR NO. 85: Well, it's vague, but it seemed like
9 it might have said that he had a temper or something --

10 THE COURT: Well, that's why I'm asking the
11 question. You've received information from newspaper
12 accounts. Could that information in any way impair your
13 ability to serve as a juror in this case and render a --

14 JUROR NO. 85: Yes.

15 THE COURT: Thank you, ma'am. I appreciate it.

16 THE BAILIFF: Number 86.

17 THE COURT: Good morning, sir. You're juror number
18 86; is that correct?

19 JUROR NO. 86: Yes.

20 THE COURT: What was your response to the question
21 about having heard anything about this case?

22 JUROR NO. 86: Yes.

23 THE COURT: And what have you heard about this
24 case?

25 JUROR NO. 86: Everything. I read the paper every

1 day.

2 THE COURT: And do you recall specifically what the
3 allegations are?

4 JUROR NO. 86: Yes.

5 THE COURT: And what are they?

6 JUROR NO. 86: I think it was murder or
7 manslaughter, something like that. I can't remember.

8 THE COURT: And you received this information from
9 the newspapers?

10 JUROR NO. 86: Newspapers and television newscasts,
11 yeah.

12 THE COURT: How long ago?

13 JUROR NO. 86: Ever since it first happened.

14 THE COURT: Alright, sir. Based on the information
15 that you have heard from all of the news media accounts,
16 could that information in any way impair your ability to
17 serve as a juror in this case and render a fair and impartial
18 verdict based only on the evidence?

19 JUROR NO. 86: Probably, because I formed some
20 opinions from some things I read in the paper.

21 THE COURT: You have formed some opinions about the
22 guilt or innocence of Mr. Washington --

23 JUROR NO. 86: About the defendant and the victim.

24 THE COURT: My question is you have formed an
25 opinion about the guilt or innocence of Mr. Washington by

1 what you heard in the news media accounts?

2 JUROR NO. 86: Um-hmm.

3 THE COURT: Thank you, sir. I appreciate it.

4 THE BAILIFF: Number 87.

5 THE COURT: Good morning, ma'am. How are you? You
6 are juror number 87?

7 JUROR NO. 87: Yes.

8 THE COURT: And what have you heard about this
9 case, if anything?

10 JUROR NO. 87: Honestly, nothing.

11 THE COURT: Pardon me?

12 JUROR NO. 87: Nothing.

13 THE COURT: You've not read any newspaper accounts,
14 seen nothing on television?

15 JUROR NO. 87: My husband mentioned it but --

16 THE COURT: Heard nothing on the radio?

17 JUROR NO. 87: No.

18 THE COURT: But your husband mentioned it to you?

19 JUROR NO. 87: Right.

20 THE COURT: What did he mention to you about the
21 case?

22 JUROR NO. 87: He just asked me if I had heard
23 about it and I said no.

24 THE COURT: Did he tell you or pass along any
25 information to you about what he may have read or heard about

1 the case?

2 JUROR NO. 87: Just pretty much a summary of it.
3 Nothing detailed.

4 THE COURT: What do you remember?

5 JUROR NO. 87: Something about how he shot his
6 delivery person or something, but we never really had a
7 detailed conversation about it.

8 THE COURT: Alright, ma'am. Based on what you did
9 hear from your husband about this case, could that
10 information in any way impair your ability to serve as a
11 juror in this case and render a fair and impartial verdict
12 based only on the evidence? You're nodding your head up and
13 down. Do you mean yes?

14 JUROR NO. 87: Oh, I'm sorry. Yes.

15 THE COURT: Thank you, ma'am. I appreciate it.

16 THE BAILIFF: Number 88.

17 MR. MOOMAU: Is that an answer, it would have
18 influenced her?

19 THE COURT: Yes. She nodded up and down. I said
20 you nodded up and down; is that a yes, and she said yes.

21 I'm sorry. What's your juror number? Eight-eight
22 is it?

23 JUROR NO. 88: Um-hmm.

24 THE COURT: What was your response to the question
25 about what you may have heard?

1 JUROR NO. 88: I saw it on the media.

2 THE COURT: And what did you hear about the case
3 from the media?

4 JUROR NO. 88: That Officer Keith Washington shot
5 the Marlo's driver, killed one and almost killed the other,
6 who was in the hospital for a while and couldn't talk.

7 THE COURT: How long ago did you hear that?

8 JUROR NO. 88: It's been a long time. It's been a
9 while.

10 THE COURT: Have you heard anything after the media
11 account?

12 JUROR NO. 88: No.

13 THE COURT: Based on what you have heard about this
14 case from the news media, could that information in any way
15 impair your ability to serve as a juror in this case and
16 render a fair and impartial verdict based only on the
17 evidence?

18 JUROR NO. 88: I don't think so.

19 THE COURT: When you say you don't think so --

20 JUROR NO. 88: No, I can be fair.

21 THE COURT: Thank you, ma'am. I appreciate it.

22 THE BAILIFF: Number 89.

23 THE COURT: Good morning, ma'am. How are you? You
24 are juror number 89?

25 JUROR NO. 89: Yes.

1 THE COURT: And what, if anything, have you heard
2 about this case?

3 JUROR NO. 89: I've read about it in the newspaper,
4 in *The Washington Post*.

5 THE COURT: Was that this morning or --

6 JUROR NO. 89: Oh, no.

7 THE COURT: Later?

8 JUROR NO. 89: You're saying when? When it
9 happened?

10 THE COURT: Yes, roughly.

11 JUROR NO. 89: When the incident took place.

12 THE COURT: Okay. And what do you recall hearing
13 about this case from *The Washington Post*?

14 JUROR NO. 89: In detail? I mean --

15 THE COURT: From what you can remember, yes, ma'am.

16 JUROR NO. 89: That the gentleman had a delivery
17 from Marlo furniture, and the two men came to his house to
18 deliver furniture, and they had a disagreement; that the
19 delivery people attempted to call Marlo to get assistance,
20 prior to the shooting taking place.

21 THE COURT: Have you heard anything since then?

22 JUROR NO. 89: Yes. I read about the incident
23 since then, when a gentleman supposedly came to his house
24 again and he was mistaken. He said he was mistaken on the
25 address or whatever.

1 THE COURT: Alright, ma'am. Based on what you have
2 heard about this case or Mr. Washington from any newspaper or
3 news media account, could that information in any way impair
4 your ability to serve as a juror in this case and render a
5 fair and impartial verdict based only on the evidence?

6 JUROR NO. 89: Based on what I've read in the
7 newspaper, I was of the opinion that he was guilty.

8 THE COURT: Alright, ma'am. Thank you. I
9 appreciate it.

10 THE BAILIFF: Number 90.

11 THE COURT: Good morning, ma'am. You are juror
12 number 90; is that correct?

13 JUROR NO. 90: Number 90.

14 THE COURT: What, if anything, have you heard about
15 this case, ma'am?

16 JUROR NO. 90: I heard it through the media,
17 basically, on television, what was going on.

18 THE COURT: And what have you heard with regard to
19 the allegations?

20 JUROR NO. 90: I heard that the movers or the
21 deliverymen were in his home and, somehow or another, they
22 got into an altercation. I don't know exactly how or if they
23 were either going into some part of the house that they
24 weren't supposed to, and they got into an argument and he
25 just shot.

1 THE COURT: Do you recall how long ago you heard
2 that?

3 JUROR NO. 90: When it first came out.

4 THE COURT: Have you heard anything since then?

5 JUROR NO. 90: Only that the trial was coming.

6 THE COURT: Based on what you have heard from any
7 news media account of this matter, could that information in
8 any way impair your ability to serve as a juror in this case
9 and render a fair and impartial verdict based only on the
10 evidence?

11 JUROR NO. 90: I think that my conclusions, what
12 I've heard, I think that he would be guilty.

13 THE COURT: Thank you very much. I appreciate it.

14 THE BAILIFF: Number 92.

15 THE COURT: I'm sorry, ma'am. You are juror number
16 92?

17 JUROR NO. 92: Ninety-two.

18 THE COURT: And what, if anything, have you heard
19 about this case?

20 JUROR NO. 92: I've heard about the case on the
21 news, that two deliverymen were delivering furniture to
22 Mr. Washington's home in Accokeek, and he alleges that they
23 were in another part of the house that they didn't belong.
24 He felt threatened, he's alleging, and he pulled a gun, and
25 one of the gentlemen was killed and the other was injured.

1 THE COURT: Do you remember whether that was from
2 television or newspaper accounts or both?

3 JUROR NO. 92: Television.

4 THE COURT: Do you remember how long ago that was?

5 JUROR NO. 92: Approximately a year.

6 THE COURT: Have you heard anything since then?

7 JUROR NO. 92: No, I haven't.

8 THE COURT: Based on what you have heard from any
9 news account of this matter, could that information in any
10 way impair your ability to serve as a juror in this case and
11 render a fair and impartial verdict based only on the
12 evidence?

13 JUROR NO. 92: No.

14 THE COURT: Thank you, ma'am. I appreciate it.

15 MR. WRIGHT: Could we get additional information
16 now?

17 THE COURT: Yes. When you were filling out the
18 jury information form, they forgot to put down certain
19 information. So I, unfortunately, have to ask you your age.

20 JUROR NO. 92: Forty-six.

21 THE COURT: It's a very young 46.

22 JUROR NO. 92: Thank you.

23 THE COURT: And are you single or married, ma'am?

24 JUROR NO. 92: Married.

25 THE COURT: And your occupation, please?

1 JUROR NO. 92: Realty specialist.

2 THE COURT: What company?

3 JUROR NO. 92: Securities and Exchange Commission.

4 THE COURT: And your spouse's occupation?

5 JUROR NO. 92: He's a facility manager.

6 THE COURT: And your education, please, ma'am?

7 JUROR NO. 92: Graduate school.

8 THE COURT: Thank you.

9 THE BAILIFF: Number 94.

10 THE COURT: Good morning, ma'am. You are juror
11 number 94?

12 JUROR NO. 92: Yes.

13 THE COURT: What, if anything, have you heard about
14 this case?

15 JUROR NO. 92: Just what's been on the radio.

16 THE COURT: Do you recall what you heard from the
17 radio about this case, the allegations?

18 JUROR NO. 92: Not really. It's been a while.
19 Just the basics about the shooting and one person was killed.

20 THE COURT: And any of the other allegations?

21 JUROR NO. 92: No.

22 THE COURT: How long ago was that that you heard
23 that, to the best of your knowledge?

24 JUROR NO. 92: I don't really remember. I mean I
25 heard it in passing.

1 THE COURT: Based on what you have heard about this
2 case from any news media account, could that information in
3 any way impair your ability to serve as a juror in this case
4 and render a fair and impartial verdict based only on the
5 evidence?

6 JUROR NO. 92: No.

7 THE COURT: Thank you, ma'am. I appreciate it.

8 THE BAILIFF: Number 95.

9 THE COURT: Good morning , ma'am. You are juror
10 number 95?

11 JUROR NO. 95: Yes.

12 THE COURT: And what, if anything, have you heard
13 about this case?

14 JUROR NO. 95: Well, I couldn't hear the details.
15 People were talking in front of me.

16 THE COURT: Pardon me?

17 JUROR NO. 95: I couldn't hear.

18 THE COURT: No; I was asking you if you heard any
19 information about this case.

20 JUROR NO. 95: I couldn't hear what you said about
21 the case because people were talking in front of me.

22 THE COURT: The allegations are that the defendant
23 shot and killed one man and injured another while furniture
24 was being delivered to his house in Accokeek. Do you recall
25 hearing anything about this from any news media account?

1 JUROR NO. 95: It sounds familiar.

2 THE COURT: Do you recall any of the other
3 information or details that may have been put out by the news
4 media?

5 JUROR NO. 95: If it's the same case I'm thinking
6 of, I believe someone who worked for the county or city was
7 accused of shooting somebody who delivered furniture and -- I
8 don't remember everything about that case, but it sounds
9 familiar. I think I heard it on the news.

10 THE COURT: Based on what you may have heard or the
11 information you may have received from any source about this
12 case, could that information or just what I've told you,
13 could that in any way impair your ability to sit as a juror
14 in this case and render a fair and impartial verdict based
15 only on the evidence?

16 JUROR NO. 95: Of course not.

17 THE COURT: Thank you, ma'am. I appreciate it.

18 THE BAILIFF: Number 97.

19 THE COURT: Good morning, ma'am. You are juror
20 number 97?

21 JUROR NO. 97: Yes.

22 THE COURT: What, if anything, have you heard about
23 this case, please?

24 JUROR NO. 97: I read in the paper about the
25 incident, two people getting shot.

1 THE COURT: Do you recall any of the allegations
2 more specifically, or is that what you recall?

3 JUROR NO. 97: Yeah, I saw some of the allegations
4 about he thinks someone was stealing out of his house or
5 something.

6 THE COURT: And that was from a newspaper, you say?

7 JUROR NO. 97: Yes.

8 THE COURT: Have you seen any television accounts?

9 JUROR NO. 97: Yes.

10 THE COURT: And what do you recall hearing from any
11 television news media account of what happened?

12 JUROR NO. 97: Just the same thing that was said in
13 the paper.

14 THE COURT: How long ago was that?

15 JUROR NO. 97: When it first happened.

16 THE COURT: Anything since then?

17 JUROR NO. 97: Un-uh.

18 THE COURT: Based on what you have heard about this
19 incident from any news media account, could that information
20 in any way impair your ability to serve as a juror in this
21 case and render a fair and impartial verdict?

22 JUROR NO. 97: No.

23 THE COURT: Thank you, ma'am. I appreciate it.

24 THE BAILIFF: Number 98.

25 THE COURT: You are juror number 98; is that

1 correct?

2 JUROR NO. 98: Yes, sir.

3 THE COURT: And what, if anything, have you heard
4 about this case?

5 JUROR NO. 98: Just what I have read from the
6 newspaper or seen on TV.

7 THE COURT: Do you remember what it is that you
8 have read or heard as to the allegations?

9 JUROR NO. 98: Just that he shot the two men. He
10 claims self-defense; they say no.

11 THE COURT: How long ago do you recall hearing that
12 or receiving the information?

13 JUROR NO. 98: Roughly, a year or something like
14 that.

15 THE COURT: Heard anything since then?

16 JUROR NO. 98: No, sir.

17 THE COURT: Based on what you have heard, could
18 that information in any way impair your ability to serve as a
19 juror in this case and render a fair and impartial verdict
20 based only on the evidence to be presented?

21 JUROR NO. 98: No; I could be fair.

22 THE COURT: Thank you, sir. I appreciate it.

23 THE BAILIFF: Number 99.

24 THE COURT: Good morning, sir. You are juror
25 number 99?

1 JUROR NO. 99: Yes.

2 THE COURT: And what, if anything, have you heard
3 about this case, please?

4 JUROR NO. 99: Basically, what was in the news,
5 which would be the two were delivering a mattress, and I
6 think the shooter was previously a policeman or is a
7 policeman and had previously had aggressive behavior on the
8 force.

9 THE COURT: And how long ago do you remember
10 hearing that?

11 JUROR NO. 99: It was probably last winter.

12 THE COURT: Have you heard anything since then?

13 JUROR NO. 99: Not since then, no.

14 THE COURT: This was from television accounts or
15 newspaper or both?

16 JUROR NO. 99: Television.

17 THE COURT: Based on what you have heard about this
18 matter from any news media account, would that information in
19 any way impair your ability to serve as a juror in this case
20 and render a fair and impartial verdict based only on the
21 evidence?

22 JUROR NO. 99: Probably not.

23 THE COURT: I'm sorry?

24 JUROR NO. 99: Not.

25 THE COURT: When you say probably not, let me --

1 JUROR NO. 99: What I have heard, I would want to
2 hear more about.

3 THE COURT: What we're trying to do here is to put
4 together 12 people who would not be influenced by anything
5 they may have read or heard or any specific knowledge they
6 may have, one way or another, about the case, so that they
7 wouldn't be influenced by it.

8 So my question to you again -- I'm sorry I have to
9 repeat it. Based on what you have heard or read about this
10 case, could it in any way impair your ability --

11 JUROR NO. 99: I'd have to say yes.

12 THE COURT: Thank you, I appreciate it.

13 THE BAILIFF: Number 100.

14 THE COURT: Good morning, ma'am. You are juror
15 number 100?

16 JUROR NO. 100: Yes.

17 THE COURT: What, if anything, have you heard about
18 this case, ma'am?

19 JUROR NO. 100: Just what I heard on the media,
20 that two people were shot as they were delivering furniture
21 by a Prince George's County police officer and --

22 THE COURT: Do you remember that from television or
23 newspaper?

24 JUROR NO. 100: Television.

25 THE COURT: How long ago was that?

1 JUROR NO. 100: Maybe about four or five months.

2 THE COURT: Have you heard anything since then?

3 JUROR NO. 100: No.

4 THE COURT: Ma'am, based on what you have heard
5 from those television accounts, could that information in any
6 way impair your ability to serve as a juror in this case and
7 render a fair and impartial verdict based only on the
8 evidence?

9 JUROR NO. 100: No.

10 THE COURT: Thank you, ma'am. I appreciate it.

11 THE BAILIFF: Number 101.

12 THE COURT: Good morning, sir. You are juror
13 number 101?

14 JUROR NO. 101: Yes, sir.

15 THE COURT: And what, if anything, have you heard
16 about this case?

17 JUROR NO. 101: Only through the media.

18 THE COURT: And do you recall anything that you
19 heard specifically from the media?

20 JUROR NO. 101: Only general details. Someone was
21 shot going in the house, delivering furniture, by the owner
22 of the house, I presume.

23 THE COURT: How long ago did you receive that
24 information?

25 JUROR NO. 101: How long ago was this? Oh, I guess

1 when it initially -- I guess it's been about six months or
2 whatever it was.

3 THE COURT: Was that from television or newspaper?

4 JUROR NO. 101: Probably both television and
5 newspaper.

6 THE COURT: Have you heard anything since then?

7 JUROR NO. 101: No.

8 THE COURT: Based on what you have heard from the
9 newspaper and the media about the allegations in this case,
10 could that information in any way impair your ability to
11 serve as a juror in this case and render a fair and impartial
12 verdict based only on the evidence?

13 JUROR NO. 101: No.

14 THE COURT: Thank you, sir. I appreciate it.

15 THE BAILIFF: Number 102.

16 THE COURT: Good morning, ma'am. You are juror
17 number 102?

18 JUROR NO. 102: Yes, sir.

19 THE COURT: And what, if anything, have you heard
20 about this case, ma'am?

21 JUROR NO. 102: I just remember hearing about it in
22 the news; that' all.

23 THE COURT: Do you remember what allegations you
24 heard from the news specifically?

25 JUROR NO. 102: Not really. I do recognize the

1 gentleman, Mr. Washington, from the news.

2 THE COURT: You recognize him visually?

3 JUROR NO. 102: From the news and that's all.

4 THE COURT: You don't recall any details of it?

5 JUROR NO. 102: No.

6 THE COURT: Thank you. I appreciate it.

7 THE BAILIFF: Number 104.

8 THE COURT: Good morning. You are juror number
9 104?

10 JUROR NO. 104: 104, correct.

11 THE COURT: And what, if anything, have you heard
12 about this matter?

13 JUROR NO. 104: I've read it in the paper, the
14 details that were in there.

15 THE COURT: Do you recall the details that the
16 paper provided at all about the allegations?

17 JUROR NO. 104: It's been a while but, as I
18 remember, Mr. Washington was an off-duty policeman, and the
19 other two gentlemen were delivering furniture. He found them
20 in a place of the home where he didn't expect them, and the
21 shooting incident.

22 THE COURT: And that was from the newspaper, you
23 believe?

24 JUROR NO. 104: I believe so.

25 THE COURT: Do you recall how long ago that was?

1 JUROR NO. 104: January of last year.

2 THE COURT: Have you heard anything since then
3 about this case?

4 JUROR NO. 104: No.

5 THE COURT: Based on what you have heard from the
6 newspaper account, could that information in any way impair
7 your ability to serve as a juror in this case and render a
8 fair and impartial verdict based only on the evidence?

9 JUROR NO. 104: Probably not.

10 THE COURT: When you say probably not, what do you
11 mean by that?

12 JUROR NO. 104: I'm not sure if I remember
13 everything that I read at the time and if my memory might be
14 further recalled later. But based on what I remember today,
15 I don't see any reason why I couldn't be a juror.

16 THE COURT: Well, what we're trying to do is put
17 together a group of people who would not be influenced by
18 anything they may have heard, read or discussed with anyone
19 about the case, and who could sit impartially as jurors and
20 make an outcome based only on the evidence that would be
21 presented. So that's why I'm asking you that question.

22 So I'm not sure -- you said something about not
23 recalling everything you may have read in the newspapers. So
24 my question to you is, based on what you have read or may
25 recall about the accounts in the news media, could that in

1 any way impair your ability to sit as a juror and render a
2 fair and impartial verdict based on the evidence that will be
3 presented during the trial?

4 JUROR NO. 104: No.

5 THE COURT: Thank you.

6 THE BAILIFF: Number 105.

7 THE COURT: Good morning, sir. You are juror
8 number 105; is that correct?

9 JUROR NO. 105: Yes.

10 THE COURT: What have you heard about this case, if
11 anything, sir?

12 JUROR NO. 105: A whole lot on TV.

13 THE COURT: Do you recall specifically what
14 allegations you have heard about this matter?

15 JUROR NO. 105: That one man was shot, killed, and
16 one man was injured.

17 THE COURT: Anything else you may recall?

18 JUROR NO. 105: That Washington has a past that is
19 indicative of a violent and an aggressive man.

20 THE COURT: And how long ago was it when you heard
21 these things, if you know?

22 JUROR NO. 105: After the shooting.

23 THE COURT: Have you heard anything since then?

24 JUROR NO. 105: There was another incident at his
25 house where he displayed a gun.

1 THE COURT: Do you recall when you may have heard
2 that from the news media accounts of it?

3 JUROR NO. 105: Not exactly. It seems to be after
4 the shooting, the death.

5 THE COURT: Based on what you have heard from the
6 news media accounts about this matter or any other allegation
7 about Mr. Washington, could that information in any way
8 impair your ability to serve as a juror in this case and
9 render a fair and impartial verdict based only on the
10 evidence to be presented?

11 JUROR NO. 105: I'm not sure.

12 THE COURT: Obviously, you know how important this
13 case is and this matter is to the State of Maryland and,
14 certainly, to Mr. Washington, the defendant in this case. So
15 what we're trying to do is put together a group of people who
16 would not be influenced by anything they may have seen or
17 heard or discussed about this case.

18 So again, because of that, I have to ask you that
19 same question. Thinking about what I have said, could the
20 information that you have heard from any news media account
21 in any way impair your ability to serve as a juror in this
22 case and render a fair and impartial verdict based only on
23 the evidence that would be presented?

24 JUROR NO. 105: I'd have to say it would.

25 THE COURT: Thank you, sir. I appreciate your

1 candor. Thank you.

2 THE BAILIFF: Number 106.

3 THE COURT: Good morning, sir. You're juror number
4 106?

5 JUROR NO. 106: Yes.

6 THE COURT: What, if anything, have you heard about
7 this case, please?

8 JUROR NO. 106: I think sometime last year I heard
9 that two men delivered furniture and were shot. And then
10 this morning, on my way here, I heard that jury selection was
11 set for today. But I will assure you, I mean, that nothing
12 will be prejudicial.

13 THE COURT: Do you recall any of the details of
14 what you may have heard?

15 JUROR NO. 106: No, because I left the area for --
16 you know, I just got back Wednesday. I was away from about
17 11 months.

18 THE COURT: Based on what you have heard from any
19 news media account, could that information in any way impair
20 your ability to serve as a juror in this case and render a
21 fair and impartial verdict?

22 JUROR NO. 106: Absolutely not.

23 THE COURT: Thank you, sir. I appreciate it.

24 THE BAILIFF: Number 108.

25 THE COURT: Good morning. You are juror number

1 108?

2 JUROR NO. 108: Yes, sir.

3 THE COURT: And what, if anything, have you heard
4 about this case, sir?

5 JUROR NO. 108: All I heard is on the news. I
6 heard it last year.

7 THE COURT: And what do you recall hearing from the
8 news?

9 JUROR NO. 108: I just heard that a police officer
10 killed a person delivering furniture to his house.

11 THE COURT: Do you recall whether that was a
12 newspaper or a television account?

13 JUROR NO. 108: Television.

14 THE COURT: Have you heard anything since then?

15 JUROR NO. 108: No, sir.

16 THE COURT: Based on what you have heard about this
17 case, could that information in any way impair your ability
18 to serve as a juror in this case and render a fair and
19 impartial verdict based only on the evidence?

20 JUROR NO. 108: No, sir, because the only thing I
21 heard was what was on the news.

22 THE COURT: Alright, sir. Thank you.

23 THE BAILIFF: Number --

24 THE COURT: Sheila, would you hold up just one
25 moment, please.

1 I'm going to try to get through this question
2 before we take a break. So they're going to be a little bit
3 unhappy, but I'm going to tell them that.

4 And then this is going to be a logistical issue, I
5 guess. But then I think when we finish with this question, I
6 think we better recess for lunch. I have no other way of
7 accommodating anything that they need to do. But I'm going
8 to give them about an hour and 15 minutes. I'm going to
9 caution them not to speak to anyone about this case, about
10 anything that was heard or said at the bench, and have no
11 discussions with any other jurors, even though they don't
12 know that much.

13 MR. STARR: Would you caution them about the media
14 as well?

15 THE COURT: Oh, I'll caution them about the media,
16 sitting in restaurants and listening to lawyers, and all that
17 kind of thing. But I don't think we can hold them for much
18 longer because they're getting antsy.

19 MR. MOOMAU: Do you plan on excusing the ones for
20 those questions?

21 THE COURT: Yes. Before we do that, I'm going to
22 get rid of the ones that both of you or all of you would
23 agree would seem to be apt candidates for challenges for
24 cause. The way I usually do that, I've made some notes.
25 I'll read the names to you. If you agree by acclamation,

1 we'll strike them. If you wish to argue any of them, we'll
2 do that.

3 MR. STARR: Yes, Your Honor.

4 MR. MOOMAU: Yes.

5 THE COURT: Just to save a little time.

6 Ladies and gentlemen, I just wanted to mention to
7 you please don't give up hope of lunch. We are going to get
8 through this one question, which seems to take a little bit
9 longer than we expected, and then we're going to recess for
10 lunch. So, hopefully, when we get through this next series
11 of people, we'll be able to tell you when that would be.

12 I appreciate, again, very much your patience. I
13 know that you came here early this morning, as we did, and I
14 know you've been very patient during this process. It's not
15 going to be over for quite a while. I'm alerting you to that
16 now, but you can expect to eat lunch very reasonably soon.
17 Thank you.

18 THE BAILIFF: Number 109.

19 THE COURT: Good morning, ma'am. You are juror
20 number 109; is that correct?

21 JUROR NO. 109: Yes.

22 THE COURT: What, if anything, have you heard about
23 this matter, ma'am?

24 JUROR NO. 109: Well, I heard about it in the news.

25 THE COURT: Do you recall what you may have heard

1 in the news?

2 JUROR NO. 109: That two guys were delivering
3 furniture to his place, and then they were going into other
4 rooms of the house and, when he approached, they accosted
5 him, and so he acted in self-defense.

6 THE COURT: And how long ago was that that you
7 heard that?

8 JUROR NO. 109: A while. I don't know. I can't
9 remember, but it's been quite some time.

10 THE COURT: Was that by television or news?

11 JUROR NO. 109: Television.

12 THE COURT: And have you heard anything since then?

13 JUROR NO. 109: That the trial was coming up.

14 THE COURT: Based on what you have heard about this
15 matter, could that information in any way impair your ability
16 to serve as a juror in this case and render a fair and
17 impartial verdict based only on the evidence?

18 JUROR NO. 109: No, sir.

19 THE COURT: Thank you, ma'am. I appreciate it.

20 THE BAILIFF: Number 110.

21 THE COURT: Good morning , ma'am. You are juror
22 number 110, correct?

23 JUROR NO. 110: Yes.

24 THE COURT: What, if anything, have you heard about
25 this case, ma'am?

1 JUROR NO. 110: The only thing I remember is it was
2 on TV and the officer is in the house, if I'm right, and he
3 shot -- there was a car outside and they were robbing the
4 furniture and they hit him -- the cop shot the guy. That's
5 all I remember.

6 THE COURT: And this came from a television report?

7 JUROR NO. 110: Yes.

8 THE COURT: How long ago was that, roughly?

9 JUROR NO. 110: I guess it was like a year ago, if
10 that.

11 THE COURT: Have you heard anything since that
12 report?

13 JUROR NO. 110: No.

14 THE COURT: Based on what you have heard, could
15 that information in any way impair your ability to serve as a
16 juror in this case and render a fair and impartial verdict
17 based only on the evidence to be presented?

18 JUROR NO. 110: No.

19 THE COURT: Thank you, ma'am. I appreciate it.

20 THE BAILIFF: Number 111.

21 THE COURT: Good morning, ma'am. You are juror
22 number 111, correct?

23 JUROR NO. 111: Yes, I am.

24 THE COURT: What, if anything, have you heard about
25 this case, please?

1 JUROR NO. 111: That a guy shot some guys moving
2 furniture.

3 THE COURT: Do you remember anything else?

4 JUROR NO. 111: No.

5 THE COURT: Did you get that information from the
6 television or newspaper accounts, to the best of your
7 knowledge?

8 JUROR NO. 111: Television.

9 THE COURT: Do you remember how long ago that would
10 have been?

11 JUROR NO. 111: Only because you said the date.

12 THE COURT: No; I mean when you heard the
13 information.

14 JUROR NO. 111: Oh, when it first happened.

15 THE COURT: Have you heard anything since then?

16 JUROR NO. 111: No, sir.

17 THE COURT: Based on what you have heard, could
18 that information in any way impair your ability to serve as a
19 juror in this case and render a fair and impartial verdict
20 based only on the evidence?

21 JUROR NO. 111: No, sir.

22 THE COURT: I noticed that they left out some
23 information from us on your juror form. What is your
24 occupation, please?

25 JUROR NO. 111: I'm at home with my child.

1 THE COURT: Thank you. I appreciate it.

2 THE BAILIFF: Number 112.

3 THE COURT: Good morning, sir. You are juror
4 number 112; is that correct?

5 JUROR NO. 112: Yes, I am.

6 THE COURT: What, if anything, have you heard about
7 this case, sir?

8 JUROR NO. 112: From the media, the newspaper.

9 THE COURT: Do you recall what you may have heard?

10 JUROR NO. 112: About the shooting, delivery, two
11 deliverymen delivering furniture. He was shot by the
12 officer.

13 THE COURT: And this is from both the television
14 and newspaper?

15 JUROR NO. 112: Yes.

16 THE COURT: And how long ago did you hear this
17 information?

18 JUROR NO. 112: Well, just last week, as far as the
19 trial.

20 THE COURT: And you heard accounts earlier when it
21 first happened?

22 JUROR NO. 112: Yes.

23 THE COURT: Based on what you have heard from any
24 news media accounts, could that information in any way impair
25 your ability to serve as a juror in this case and render a

1 fair and impartial verdict based only on the evidence?

2 JUROR NO. 112: No, I don't think so.

3 THE COURT: When you say you don't think so, what
4 do you mean by that?

5 JUROR NO. 112: I don't think it would affect my
6 decision until you hear the case in full.

7 THE COURT: Okay. Thank you, sir. Appreciate it.

8 THE BAILIFF: Number 113.

9 THE COURT: Good morning, sir. You are juror
10 number 113; is that correct?

11 JUROR NO. 113: Um-hmm.

12 THE COURT: What, if anything, have you heard about
13 this case, please?

14 JUROR NO. 113: I know Keith.

15 THE COURT: You know Mr. Washington?

16 JUROR NO. 113: Um-hmm.

17 THE COURT: How do you know Mr. Washington?

18 JUROR NO. 113: From my sister, about six years
19 ago, I guess.

20 THE COURT: So you are acquainted with him?

21 JUROR NO. 113: Not necessarily, no.

22 THE COURT: But you know of him.

23 JUROR NO. 113: Um-hmm.

24 THE COURT: And what has your sister said about him
25 to you?

1 JUROR NO. 113: Nothing.

2 THE COURT: Pardon me?

3 JUROR NO. 113: Nothing. Other than he's in
4 trouble. Other than that, that's about it.

5 THE COURT: And have you heard any accounts of what
6 may have happened from the news media?

7 JUROR NO. 113: Yes.

8 THE COURT: And what have you heard, if anything?

9 JUROR NO. 113: The furniture guys and the real
10 estate man and all that stuff, yeah.

11 THE COURT: Anything else?

12 JUROR NO. 113: Un-uh.

13 THE COURT: How long ago did you hear that
14 information, if you can recall?

15 JUROR NO. 113: About September, I guess it was.

16 THE COURT: Have you heard anything since then from
17 either the news media or your sister?

18 JUROR NO. 113: Un-uh.

19 THE COURT: Has your sister mentioned anything
20 about the case to you?

21 JUROR NO. 113: Un-uh.

22 THE COURT: She's the one who knows Mr. Washington?

23 JUROR NO. 113: Um-hmm.

24 THE COURT: And how does she know Mr. Washington?

25 JUROR NO. 113: Well, she's a female. I don't

1 know.

2 THE COURT: Alright, sir. Based on what you have
3 heard from any of the media accounts of this matter or what
4 you have heard from your sister about Mr. Washington, could
5 that information in any way impair your ability to serve as a
6 juror in this case and render a fair and impartial verdict
7 based only on the evidence?

8 JUROR NO. 113: Yes, it could, probably.

9 THE COURT: Alright, sir. Thank you.

10 THE BAILIFF: Number 114.

11 THE COURT: Good morning, ma'am. You are juror
12 number 14; is there correct?

13 JUROR NO. 114: Yes:

14 THE COURT: What, if anything, have you heard about
15 this case?

16 JUROR NO. 114: I have not heard anything.

17 THE COURT: You've heard not account of it in the
18 news media, not from any of your friends or coworkers?

19 JUROR NO. 114: No.

20 THE COURT: Well, we only wanted people to come up
21 who knew something about the case. Did you want to tell us
22 anything else?

23 JUROR NO. 114: No, I don't know anything about the
24 case.

25 THE COURT: Thank you, ma'am. I appreciate it.

1 THE BAILIFF: Number 115.

2 THE COURT: Good morning, sir. You are juror
3 number 115; is that correct?

4 JUROR NO. 115: Yes, sir.

5 THE COURT: What, if anything, have you heard about
6 the case, please?

7 JUROR NO. 115: Just that he was an officer and he
8 was suspended.

9 THE COURT: What is it you recall them saying on
10 the news?

11 JUROR NO. 115: The guys was delivering furniture
12 and got into an argument and then shot. That's basically
13 what I remember.

14 THE COURT: Do you remember if that was from either
15 the television or newspaper accounts?

16 JUROR NO. 115: Television.

17 THE COURT: Do you remember how long ago that was?

18 JUROR NO. 115: No.

19 THE COURT: Have you heard anything since then
20 about the case?

21 JUROR NO. 115: No.

22 THE COURT: Based on what you have heard about this
23 case from any news media account of it or from any source,
24 could that information in any way impair your ability to
25 serve as a juror in this case and render a fair and impartial

1 verdict based only on the evidence?

2 JUROR NO. 115: No.

3 THE COURT: Thank you, sir. I appreciate it.

4 THE BAILIFF: Number 116.

5 MR. MOOMAU: Your Honor, I have a question. We
6 didn't get his occupation.

7 THE COURT: That's juror number 115. I'm sorry,
8 sir. We forgot to ask you something. Apologize. They
9 forgot to list your occupation, sir.

10 JUROR NO. 115: Security technician.

11 THE COURT: What company do you work for?

12 JUROR NO. 115: ADT.

13 THE COURT: Thank you.

14 THE BAILIFF: Number 116.

15 THE COURT: You are juror number 116; is that
16 correct?

17 JUROR NO. 116: Yes.

18 THE COURT: What, if anything, have you heard about
19 this case, sir?

20 JUROR NO. 116: Just the night that it happened,
21 the shooting had happened.

22 THE COURT: Did you hear that on the television or
23 read it in the newspaper?

24 JUROR NO. 116: Both. I heard it this morning
25 actually.

1 THE COURT: On the radio or television?

2 JUROR NO. 116: Television.

3 THE COURT: What do you recall about the
4 allegations that were made about the account that you heard?

5 JUROR NO. 116: That it was going back and forth,
6 that one guy was unconscious for a while, and they came out
7 with a story that the officer was robbed.

8 THE COURT: Other than that, do you recall any
9 details that may have --

10 JUROR NO. 116: Well, basically, the story about --
11 no, I don't.

12 THE COURT: Based on what you have heard, could
13 that information in any way impair your ability to serve as a
14 juror in this case and render a fair and impartial verdict
15 based only on the evidence?

16 JUROR NO. 116: I don't know.

17 THE COURT: Alright. Well, obviously, you realize
18 how important this case is to the State of Maryland and,
19 certainly, to Mr. Washington, the defendant in this case, and
20 what we're trying to do is put together a group of people who
21 would not be influenced by anything they may have heard, read
22 or seen about this case. So when you think about that, I
23 need to ask the question again.

24 JUROR NO. 116: Yes, it would probably influence me
25 one way or another.

1 THE COURT: Thank you, sir. I appreciate it.

2 THE BAILIFF: Number 117.

3 THE COURT: Good morning, ma'am. You are juror
4 number 117?

5 JUROR NO. 117: Yes.

6 THE COURT: What, if anything, have you heard about
7 this case, please?

8 JUROR NO. 117: That he allegedly shot two delivery
9 guys and one of them died, and that it was apparently because
10 he found one of them in his daughter's bedroom.

11 THE COURT: Do you recall that information coming
12 from a newspaper or television account?

13 JUROR NO. 117: Television.

14 THE COURT: How long ago was that, ma'am?

15 JUROR NO. 117: I don't recall how long it's been.

16 THE COURT: Have you heard anything since that
17 account about the case?

18 JUROR NO. 117: Something about a mistrial or
19 something happened, or he already went to trial for something
20 else. The incident that happened with another guy on his
21 property.

22 THE COURT: Based on what you have heard about this
23 matter from any news media accounts, could that information
24 in any way impair your ability to serve as a juror in this
25 case and render a fair and impartial --

1 JUROR NO. 117: It could.

2 THE COURT: It could?

3 JUROR NO. 117: Yes.

4 THE COURT: Thank you, ma'am.

5 THE BAILIFF: Number 118.

6 THE COURT: Good morning, ma'am. You are juror
7 number 118; is that correct?

8 JUROR NO. 118: Yes, that's correct.

9 THE COURT: What, if anything, have you heard about
10 this matter, this case?

11 JUROR NO. 118: I heard it in the news. It's been
12 a long time ago.

13 THE COURT: What do you recall hearing
14 specifically?

15 JUROR NO. 118: That he shot two people.

16 THE COURT: Do you remember anything else that you
17 may have heard about it?

18 JUROR NO. 118: No. Judge, is this going to be
19 tomorrow? Because I'm an election judge.

20 THE COURT: Yes, ma'am. Have you -- does the jury
21 commissioner's office know that?

22 JUROR NO. 118: I told them and they told me to
23 tell you that.

24 THE COURT: Alright, ma'am. Let me -- without
25 knowledge, let me ask you this other question. Have you

1 heard anything since that television account of it or that
2 you may have read?

3 JUROR NO. 118: No.

4 THE COURT: Based on what you have heard, could
5 that in any way impair your ability to serve as a juror in
6 this case and render a fair and impartial verdict based only
7 on the evidence to be presented?

8 JUROR NO. 118: No.

9 THE COURT: Alright, ma'am. We'll do the best we
10 can.

11 THE BAILIFF: Number 119.

12 THE COURT: Good morning, ma'am. You are juror
13 number 119; is that correct?

14 JUROR NO. 119: Yes, sir.

15 THE COURT: What, if anything, have you heard about
16 this case, please?

17 JUROR NO. 119: I read about it in the newspaper
18 and heard about it on the radio, that the defendant was
19 receiving delivery of furniture, and I believe that he was
20 being robbed and shot the two gentlemen delivering the
21 furniture.

22 THE COURT: And how long ago was that that you
23 heard that?

24 JUROR NO. 119: How long ago was it?

25 THE COURT: That you heard those accounts.

1 JUROR NO. 119: Probably the day after it happened.

2 THE COURT: Have you heard anything since then?

3 JUROR NO. 119: Several times in radio and news and
4 in newsprint.

5 THE COURT: Based on what you have heard about this
6 matter from any of the news media accounts, could that
7 information in any way impair your ability to serve as a
8 juror in this case and render a fair and impartial verdict
9 based only on the evidence?

10 JUROR NO. 119: I do not know.

11 THE COURT: Obviously, you know how important this
12 matter is for the State of Maryland and, certainly, for
13 Mr. Washington, who is charged in this case, and what we are
14 trying to do is put together a group of people who would not
15 be influenced by anything they may have heard about this
16 matter from any account whatsoever.

17 So thinking about it from that perspective, I'm
18 going to ask you that question again.

19 JUROR NO. 119: I'm not absolutely convinced that I
20 could be impartial because I've already formed opinions.

21 THE COURT: Alright, ma'am. I appreciate that.
22 Have a seat back in the audience, please.

23 THE BAILIFF: Number 120.

24 THE COURT: Good morning, sir. You are juror
25 number 120, correct?

1 JUROR NO. 120: Correct.

2 THE COURT: And what, if anything, have you heard
3 about this case, please?

4 JUROR NO. 120: What have I heard about the case?
5 It was highly advertised in the paper, the radio, television.

6 THE COURT: Yes, sir. And do you recall
7 specifically the allegations that were made?

8 JUROR NO. 120: I do.

9 THE COURT: And what actually do you recall.

10 JUROR NO. 120: I think there were some movers from
11 one of the box stores, and they were delivering furniture and
12 were allegedly killed, one of the guys, and shot the other
13 two.

14 THE COURT: And how long ago did you hear that?

15 JUROR NO. 120: I don't remember that. Six months,
16 eight months.

17 THE COURT: Have you heard anything since then
18 about this case?

19 JUROR NO. 120: Oh, I'm an avid reader, so I've
20 seen it.

21 THE COURT: Based on what you have heard about this
22 matter from any news source whatsoever, could that
23 information in any way impair your ability to serve as a
24 juror in this --

25 JUROR NO. 120: Potentially.

1 THE COURT: Thank you, sir. I appreciate it.

2 THE BAILIFF: Number 121.

3 THE COURT: Good morning, sir. You are juror
4 number 121, correct?

5 JUROR NO. 121: Yes.

6 THE COURT: What, if anything, have you heard about
7 this case, sir?

8 JUROR NO. 121: No, no, no.

9 THE COURT: You've not heard anything about the
10 case?

11 JUROR NO. 121: No.

12 THE COURT: You've not read any newspaper account;
13 not seen or heard anything on television or radio?

14 JUROR NO. 121: No.

15 THE COURT: Did you come up to tell us anything
16 about anything else? Did you come up to tell us about
17 anything else?

18 JUROR NO. 121: Yes, sir. I have a medical
19 problem. I am a diabetic patient, so every two or three
20 hours I have to measure my glucose. I have a prostrate
21 problem also. So every two, three hours I have, you know,
22 frequent urination.

23 I thought that this would be a short trial or
24 some -- I have a lot of problems. I have to eat every two or
25 three hours. So may I be excused?

1 THE COURT: Well, I can't do that right now, but
2 we'll do the best we can. We'll make a determination at some
3 point. We'll do the best we can, sir. Thank you.

4 THE BAILIFF: Number 122.

5 THE COURT: Thank you, sir. You are juror number
6 122; is that correct?

7 JUROR NO. 122: Right.

8 THE COURT: What, if anything, have you heard about
9 this case, sir?

10 JUROR NO. 122: Just briefly over the ten o'clock,
11 eleven o'clock news, that it was something like the third day
12 or something like that. Off and on. Briefly, I just stood
13 there and listened.

14 THE COURT: And do you remember what the
15 allegations were from those accounts of it in the news media?

16 JUROR NO. 122: I really don't. Like I said, I
17 just briefly listened and that was it.

18 THE COURT: Do you know what the charges are in
19 this case from the news media?

20 JUROR NO. 122: No, no.

21 THE COURT: Based on what you have heard from any
22 of these accounts, could that information in any way impair
23 your ability to sit as a juror in this case and render a fair
24 and impartial verdict based only on the evidence presented in
25 the case?

1 JUROR NO. 122: I don't think so.

2 THE COURT: Why do you think that?

3 JUROR NO. 122: You said based on what I know or
4 what I don't know?

5 THE COURT: Based on what you have heard about this
6 case.

7 JUROR NO. 122: I'm in the middle of -- I don't
8 know what to say about the situation.

9 THE COURT: Have you heard information about this
10 case from any other source?

11 JUROR NO. 122: No. Only the casual news, you
12 know.

13 THE COURT: And you are -- okay. And based on what
14 you've heard, could that in any way influence your decision
15 in this case?

16 JUROR NO. 122: I guess it could go either way, yes
17 or no. I don't know. I just can't come up to that question.

18 THE COURT: Well, what we're trying to do in this
19 matter is to put a group of people together who would not be
20 influenced by anything that they have heard through any news
21 media account in this matter, and who could fairly set on
22 this case and deliberate impartially. Do you feel that you
23 could do that or not?

24 JUROR NO. 122: I don't think so.

25 THE COURT: Alright, sir. Thank you. I appreciate

1 that.

2 THE BAILIFF: Number 123.

3 THE DEPUTY CLERK: Judge, juror number 82 is
4 outside because she is having heart palpitations and she took
5 a nitro.

6 THE COURT: Gentlemen, juror number 82 is outside
7 of the deliberation room because she took a nitroglycerin
8 pill and is now experiencing heart palpitation. If you look
9 at the setting with regard to juror number 82, it would be my
10 belief -- does anyone wish to exercise a challenge for cause
11 on this one?

12 MR. WRIGHT: Yes, Your Honor.

13 MR. MOOMAU: She's for cause any way.

14 THE COURT: That's what I'm saying. So by
15 agreement of the parties, number 82 is excused.

16 You are juror number 123?

17 JUROR NO. 123: Yes.

18 THE COURT: What, if anything, have you heard about
19 this case?

20 JUROR NO. 123: When it first occurred?

21 THE COURT: Yes, sir.

22 JUROR NO. 123: The news. I don't live very far.
23 I live down the street about a half a mile.

24 THE COURT: What do you recall hearing about it?

25 JUROR NO. 123: I just heard that some people were

1 delivering furniture in the morning and, apparently,
2 something happened, that they were talking about the delivery
3 or not knowing whether there was supposed to be a delivery or
4 not, and one of the people was shot.

5 THE COURT: Have you heard anything since then?

6 JUROR NO. 123: No.

7 THE COURT: Based on what you have heard, could
8 that information in any way impair your ability to serve as a
9 juror in this case and render a fair and impartial verdict
10 based only on the evidence?

11 JUROR NO. 123: No, it wouldn't.

12 THE COURT: Thank you, sir. I appreciate it.

13 THE BAILIFF: Number 124.

14 THE COURT: Good morning, ma'am. You are juror
15 number 124; is that correct?

16 JUROR NO. 124: Um-hmm.

17 THE COURT: What, if anything, have you heard about
18 this case.

19 JUROR NO. 124: A little bit of everything. It's
20 all over the media.

21 THE COURT: You've heard television?

22 JUROR NO. 124: Television, newspaper.

23 THE COURT: What do you recall hearing
24 specifically?

25 JUROR NO. 124: About him shooting two guys coming

1 to deliver furniture. I also remember him assaulting someone
2 else after that incident too.

3 THE COURT: Based on what you have heard about this
4 case and Mr. Washington from any source that you mentioned,
5 could that information in any way impair your ability to
6 serve as a juror in this case and render a fair and impartial
7 verdict based only on the evidence?

8 JUROR NO. 124: No.

9 THE COURT: Anyone have any questions? Thank you.

10 THE BAILIFF: Number 125.

11 THE COURT: Good morning , ma'am. You are juror
12 number 125?

13 JUROR NO. 125: Yes.

14 THE COURT: What, if anything, have you heard about
15 this case, please?

16 JUROR NO. 125: What you already said, plus the
17 defendant, I guess, is a police officer.

18 THE COURT: Yes, ma'am.

19 JUROR NO. 125: The surviving deliveryman had a
20 police record. The police officer had a previous incident in
21 his career, which I don't remember which people thought
22 showed a pattern.

23 THE COURT: Did you receive this information from
24 television or newspaper accounts, to the best of your
25 recollection?

1 JUROR NO. 125: Both.

2 THE COURT: How long ago was that; do you remember?

3 JUROR NO. 125: At the time it happened.

4 THE COURT: Have you heard anything since then, to
5 the best of your recollection?

6 JUROR NO. 125: No.

7 THE COURT: Based on what you have heard in any
8 news media account, could that information in any way impair
9 your ability to serve as a juror in this case and render a
10 fair and impartial verdict based only on the evidence to be
11 presented?

12 JUROR NO. 125: No, sir.

13 THE COURT: Thank you, ma'am. I appreciate it.

14 THE BAILIFF: Number 126.

15 THE COURT: Good morning, sir. You're juror number
16 126?

17 JUROR NO. 126: Yes.

18 THE COURT: What, if anything, have you heard about
19 this case?

20 JUROR NO. 126: I heard it on the news, and I think
21 just that this is the case where the guy shot the guy with
22 the furniture? Is that the same case? The case where the
23 guy shot the guy with the furniture.

24 One of the -- the guy that lived -- if it's the
25 same case, the guy that lived -- me and my wife talked about

1 it. I think he's from South Carolina and my wife knowed him,
2 and she was trying to tell me who maybe the family was, but I
3 didn't know them. I think they might have been from
4 Georgetown or Williamsburg County in South Carolina, the guy
5 that lived.

6 THE COURT: How long ago did you hear this
7 information from the news media?

8 JUROR NO. 126: Well, I ain't heard it in the news
9 media since it happened, I think like a year or so ago.

10 Then, by me being a truck driver for 38 years, I
11 have some doubts too, you know, about what could have
12 happened or whatever. Because, like I say, I'm a 38-year
13 driver from delivering furniture to freight.

14 THE COURT: And you say that your wife knows one of
15 the --

16 JUROR NO. 126: Yeah. If I'm not mistaken, my wife
17 know the family.

18 THE COURT: Of one of the victims?

19 JUROR NO. 126: Of the one that lived. It seems
20 like she was talking to me something about the mother and
21 stuff that came up and got him from here and stuff like that.
22 She was trying to tell me, you know, who the family was.

23 THE COURT: So she provided you with information
24 about the family?

25 JUROR NO. 126: Yeah.

1 THE COURT: Did she give you any other information?

2 JUROR NO. 126: Well, you know, we haven't talked
3 about it since then. This was shortly after it happened. I
4 think the guy was coming out of the hospital or something
5 like that.

6 THE COURT: Based on what you have heard from any
7 of the news media accounts and what you have heard from your
8 wife, could that information in any way impair your ability
9 to serve as a juror in this case and render a fair and
10 impartial verdict based on the evidence?

11 JUROR NO. 126: Well, I think from being a truck
12 driver and a deliveryman, it could impair a little bit.

13 THE COURT: So -- okay. Based on your occupation
14 as a deliveryman, could that in any way impair your ability
15 to sit as a juror in this case and fairly and impartially
16 deliberate on an outcome in this matter?

17 JUROR NO. 126: I think it could.

18 THE COURT: Thank you, sir. I appreciate it.

19 THE BAILIFF: Number 127.

20 THE COURT: Good morning, ma'am. You are juror
21 number 127?

22 JUROR NO. 127: Um-hmm.

23 THE COURT: What, if anything, have you heard about
24 this case?

25 JUROR NO. 127: I've heard everything in the media.

1 And my husband works at the corrections center, and I've
2 heard what he has to say.

3 THE COURT: What have you heard specifically about
4 the case?

5 JUROR NO. 127: What supposedly happened and
6 everybody's side and how he might have just went off and how
7 pressures --

8 THE COURT: And how long ago did you hear these
9 things?

10 JUROR NO. 127: A month.

11 THE COURT: Anything since then?

12 JUROR NO. 127: Longer than that. It's been six
13 months, I guess.

14 THE COURT: Based on what you have heard from your
15 husband, who is employed by our corrections department here
16 in Prince George's County, and what you've heard from any
17 news media account of this matter, could those things in any
18 way impair your ability to serve as a juror in this case and
19 render a fair and impartial verdict based only on the
20 evidence?

21 JUROR NO. 127: I don't know if I can forget what
22 I've heard. I'm not sure.

23 THE COURT: Well, obviously, you know how important
24 this matter is to Mr. Washington and to the State of
25 Maryland, who is proceeding with these matters, and what

1 we're trying to do is put together a group of people who
2 would not be influenced in any way by anything they may have
3 heard about this case from the media or any other source.

4 So thinking about it in that way and asking you
5 this question again, could anything that you've heard or any
6 information you received in any way impair your ability to
7 serve as a juror in this case and render a fair and impartial
8 verdict based on the evidence?

9 JUROR NO. 127: I would try not to. I can't say
10 for sure. I would try to be impartial.

11 THE COURT: Alright, ma'am. Thank you. Appreciate
12 it.

13 THE BAILIFF: Number 129.

14 THE COURT: Yes, ma'am. You are juror number 129?

15 JUROR NO. 129: Yes.

16 THE COURT: What, if anything, have you heard about
17 this case, please?

18 JUROR NO. 129: Just heard about it on the news.

19 THE COURT: And what have you heard?

20 JUROR NO. 129: The only thing I can remember -- I
21 can't remember where the young man worked. I thought he was
22 like a DEA agent or FBI agent who had shot someone who worked
23 for Marlo Furniture. That's the part I remember.

24 THE COURT: And you believe that information came
25 from the television or a newspaper?

1 JUROR NO. 129: It was television.

2 THE COURT: How long ago was that, ma'am?

3 JUROR NO. 129: That I remember hearing it?

4 THE COURT: Yes, ma'am.

5 JUROR NO. 129: I guess about seven, eight months
6 ago maybe. I may have read it in the paper too. I read the
7 paper online sometimes.

8 THE COURT: Have you heard anything in the last two
9 or three months?

10 JUROR NO. 129: No.

11 THE COURT: Based on what you have heard about this
12 matter from any newspaper or television account of it, could
13 that information in any way impair your ability to serve as a
14 juror in this case and render a fair and impartial verdict
15 based only on the evidence?

16 JUROR NO. 129: No.

17 THE COURT: Thank you. I appreciate it.

18 THE BAILIFF: Number 130.

19 THE COURT: Good morning. You are juror number
20 130; is that correct?

21 JUROR NO. 130: Yes.

22 THE COURT: What, if anything, have you heard about
23 this case, ma'am?

24 JUROR NO. 130: The only thing that I heard is that
25 it was a guy from Marlo company and he was delivering

1 furniture and the guy shot him. That's it.

2 THE COURT: Do you know whether this was a
3 newspaper account that you may have read or television?

4 JUROR NO. 130: Television.

5 THE COURT: Do you remember how long ago you may
6 have heard that account through the television?

7 JUROR NO. 130: I know it was a while ago. I'm not
8 sure.

9 THE COURT: Have you heard anything since then?

10 JUROR NO. 130: No.

11 THE COURT: Based on what you have heard, would
12 that information in any way impair your ability to serve as a
13 juror in this case and render a fair and impartial verdict
14 based only on the evidence?

15 JUROR NO. 130: No.

16 THE COURT: Thank you, ma'am. I appreciate it.

17 THE BAILIFF: Number 132.

18 THE COURT: Good morning, ma'am. You are juror
19 number 132; is that correct?

20 JUROR NO. 132: Correct.

21 THE COURT: What, if anything, have you heard about
22 this case, please?

23 JUROR NO. 132: Just on the news and a little bit
24 in the newspaper.

25 THE COURT: What do you recall hearing specifically

1 about the allegations?

2 JUROR NO. 132: That he was -- I'm nervous.

3 THE COURT: That's all right. Take your time.

4 JUROR NO. 132: That two deliverymen went to his
5 house and there was a shooting. Basically --

6 THE COURT: Do you recall if that's from newspaper
7 and television?

8 JUROR NO. 132: Yes.

9 THE COURT: How long ago was that, if you remember?

10 JUROR NO. 132: I guess back when it happened.

11 THE COURT: Have you heard anything since then?

12 JUROR NO. 132: Just this morning that he was --
13 they would be -- he would be on trial today. That's it.

14 THE COURT: Based on what you have heard from any
15 news media account of this matter, could that information in
16 any way impair your ability to serve as a juror in this case
17 and render a fair and impartial verdict based only on the
18 evidence?

19 JUROR NO. 132: I don't think it would impair me,
20 no.

21 THE COURT: Alright, ma'am. Thank you.

22 THE BAILIFF: Number 133.

23 THE COURT: Good morning, ma'am. You are juror
24 number 133?

25 JUROR NO. 133: Yes.

1 THE COURT: What, if anything, have you heard about
2 this case?

3 JUROR NO. 133: I've heard everything that was in
4 the media.

5 THE COURT: From television and newspaper events?

6 JUROR NO. 133: Yes.

7 THE COURT: Do you recall what that was?

8 JUROR NO. 133: That two deliverymen came to his
9 home to deliver a bed and, for some reason, that the
10 defendant got very upset and he shot both of them, killed
11 them. And at the time I felt he was guilty, and I confirmed
12 his guilt when the second time -- I think it was an appraisal
13 guy came to the door and he pulled a gun on him. I would be
14 very biased to sit on this jury because I feel that he's
15 guilty.

16 THE COURT: Alright, ma'am. Thank you. I
17 appreciate it.

18 THE BAILIFF: Number 134.

19 THE COURT: Good afternoon. You are juror number
20 134?

21 JUROR NO. 134: Yes.

22 THE COURT: What, if anything, have you heard about
23 this case, please?

24 JUROR NO. 134: What was on the news and the
25 newspaper.

1 THE COURT: And do you remember what they said
2 about the allegations in this matter specifically?

3 JUROR NO. 134: Yes. It was about furniture
4 delivery. One person was shot in the house, got killed in
5 the house, and maybe a week or two later there was another
6 incident where a real estate appraiser.

7 THE COURT: How long ago did you hear that
8 information, to the best of your recollection?

9 JUROR NO. 134: Maybe about a year or more.

10 THE COURT: Have you heard anything since then?

11 JUROR NO. 134: No.

12 THE COURT: Based on what you have heard, could
13 that information in any way impair your ability to serve as a
14 juror in this case and render a fair and impartial verdict
15 based only on the evidence?

16 JUROR NO. 134: Yes.

17 THE COURT: Thank you, sir. Appreciate it.

18 THE BAILIFF: Number 135.

19 THE COURT: You are juror number 135; is that
20 correct?

21 JUROR NO. 135: Yes.

22 THE COURT: What, if anything, did you hear about
23 this case, sir?

24 JUROR NO. 135: Over the TV.

25 THE COURT: And what did you hear?

1 JUROR NO. 135: Just the details of what was going
2 on.

3 THE COURT: Do you recall what those were that were
4 portrayed, please?

5 JUROR NO. 135: It was a shooting, and one person
6 got shot -- two people got shot; one got killed. They was on
7 a moving job.

8 THE COURT: How long ago did you hear that?

9 JUROR NO. 135: It's been almost a year ago now.

10 THE COURT: Have you heard anything since?

11 JUROR NO. 135: No, I haven't.

12 THE COURT: Based on what you have heard, could
13 that information in any way impair your ability to serve as a
14 juror in this case and render a fair and impartial verdict
15 based only on the evidence?

16 JUROR NO. 135: No, I don't think so.

17 THE COURT: Thank you, sir. I appreciate it.

18 THE BAILIFF: Number 136.

19 THE COURT: Good morning, sir. You are juror
20 number 136?

21 JUROR NO. 136: Yes, sir.

22 THE COURT: What, if anything, have you heard about
23 this case?

24 JUROR NO. 136: If it helps or anything, I have a
25 father-in-law in law enforcement who actually worked with

1 Mr. Washington.

2 THE COURT: With the Prince George's County Police
3 Department?

4 JUROR NO. 136: Yes, sir. And most of my
5 associates and friends are Prince George's County Police
6 Department.

7 THE COURT: Well, let me ask you this question.
8 Has your father spoken to you anything about Mr. Washington?

9 JUROR NO. 136: No, not him. I'd say maybe some of
10 my friends and associates.

11 THE COURT: You have friends and associates who
12 have spoken to you about their knowledge of Mr. Washington?

13 JUROR NO. 136: As far as working with him, sure.

14 THE COURT: Within the police department?

15 JUROR NO. 136: Yes.

16 THE COURT: And you've heard news media accounts of
17 this as well?

18 JUROR NO. 136: Yes.

19 THE COURT: Based on your -- well, what news media
20 accounts did you hear?

21 JUROR NO. 136: Basically, that they claim he shot
22 two people in self-defense, the two Marlo Furniture workers
23 who were apparently in a room they shouldn't have been in or
24 something of that nature, but that's what you guys are here
25 to decide.

1 THE COURT: How long ago did you hear those
2 accounts, if you know?

3 JUROR NO. 136: Back when all this stuff probably
4 started hitting the news way.

5 THE COURT: Have you heard anything since then from
6 any news media account?

7 JUROR NO. 136: No, I haven't really listened to
8 that, no.

9 THE COURT: Based on what you have heard from any
10 news media account of this matter, and based on your
11 conversations with anyone who has been associated with
12 Mr. Washington in his line of employment, could that in any
13 way impair your ability to serve as juror in this case and --

14 JUROR NO. 136: Yes, sir.

15 THE COURT: Thank you, sir. Appreciate it.

16 THE BAILIFF: Number 137.

17 THE COURT: Good morning, sir. You're juror number
18 137?

19 JUROR NO. 137: Yes.

20 THE COURT: What, if anything, have you heard about
21 this case, please?

22 JUROR NO. 137: Just very brief about the delivery
23 and the police officer was involved. That's it.

24 THE COURT: Was that from television or newspaper?

25 JUROR NO. 137: Radio.

1 THE COURT: Do you remember how long ago that was?

2 JUROR NO. 137: Been a few months, I guess.

3 THE COURT: Heard anything since then?

4 JUROR NO. 137: Other than I think the officer was
5 suspended.

6 THE COURT: Based on what you have heard, could
7 that in any way impair your ability to serve as a juror in
8 this case and render a fair and impartial verdict based only
9 on the evidence?

10 JUROR NO. 137: No, it doesn't.

11 THE COURT: Thank you, sir. I appreciate it.

12 THE BAILIFF: Number 138.

13 THE COURT: Good morning. You are juror number
14 138?

15 JUROR NO. 138: Yes.

16 THE COURT: What, if anything, have you heard about
17 this case?

18 JUROR NO. 138: Through the radio and on the news,
19 the newspaper, and also my husband.

20 THE COURT: Your husband's occupation.

21 JUROR NO. 138: Secret Service. He's in training
22 right now. But he was a former U. D. for Secret Service.

23 THE COURT: Former?

24 JUROR NO. 138: Uniformed division of the Secret
25 Service.

1 THE COURT: What have you heard specifically about
2 this case?

3 JUROR NO. 138: Specifically, that someone was
4 delivering furniture -- two gentlemen were delivering
5 furniture, and I believe it was a police officer they were
6 delivering it to, and he thought there was a threat and shot
7 at the victims.

8 THE COURT: And this was from both newspaper and
9 other media?

10 JUROR NO. 138: Yes.

11 THE COURT: How long ago do you remember hearing
12 this?

13 JUROR NO. 138: I don't remember exactly.

14 THE COURT: Based on what you --

15 JUROR NO. 138: I just remember because it was a
16 big story.

17 THE COURT: Based on what you have heard about this
18 case, and based on the fact that your husband is a special
19 agent with the Secret Service, could that in any way impair
20 your ability to serve as a juror in this case and render a
21 fair and impartial verdict based only on the evidence?

22 JUROR NO. 138: I kind of already -- yeah, I think
23 so, yes.

24 THE COURT: Thank you very much.

25 THE BAILIFF: Number 140.

1 THE COURT: Good morning, sir. You are juror
2 number 140; is that correct?

3 JUROR NO. 140: Yes, sir.

4 THE COURT: What, if anything, have you heard about
5 this case, sir, please?

6 JUROR NO. 140: Through the newspaper and news
7 media.

8 THE COURT: And do you recall what you have heard
9 specifically?

10 JUROR NO. 140: Well, just different things about
11 the case, you know.

12 THE COURT: About the allegations?

13 JUROR NO. 140: Right. Just different things.

14 THE COURT: What do you recall about the
15 allegations?

16 JUROR NO. 140: What I heard is that he did the
17 shooting and all like that. You know. Just so many
18 different things.

19 THE COURT: How long ago did you hear from the news
20 media about this?

21 JUROR NO. 140: I guess probably, maybe within the
22 last few weeks, about three or four weeks.

23 THE COURT: Based on --

24 JUROR NO. 140: And also, you know, I have a
25 problem with my back. I have a disk removed from my back,

1 and it's hard for me to sit down for a long period of time.

2 THE COURT: Okay, sir. Based on what you've heard
3 about this matter from any news account of it, could that
4 information in any way impair your ability to serve as a
5 juror on this case and render a fair and impartial verdict
6 based only on the evidence?

7 JUROR NO. 140: I guess I would. I mean, because
8 there's a person that works on my job and lives in the
9 neighborhood and we talked about it.

10 THE COURT: Alright, sir. Thank you. I appreciate
11 it.

12 THE BAILIFF: Number 141.

13 THE COURT: Good morning. You are juror number
14 141; is that correct?

15 JUROR NO. 141: Yes.

16 THE COURT: And what, if anything, have you heard
17 about this case, sir?

18 JUROR NO. 141: Nothing.

19 THE COURT: You've heard no news media account of
20 it, no newspaper report or no radio account of it?

21 JUROR NO. 141: No.

22 THE COURT: Did you come up to tell us anything
23 else?

24 JUROR NO. 141: I guess not.

25 THE COURT: Thank you, sir. I appreciate it.

1 THE BAILIFF: Number 142.

2 THE COURT: Good morning, ma'am. You are juror
3 number 142?

4 JUROR NO. 142: Yes, I am.

5 THE COURT: What, if anything, have you heard about
6 this case, please?

7 JUROR NO. 142: I'm sorry?

8 THE COURT: What, if anything, have you heard about
9 this case?

10 JUROR NO. 142: On the news I heard that two
11 gentlemen was dropping off furniture, and the guy in the
12 house shot them, but I don't know why.

13 THE COURT: Do you remember if that was from
14 television or newspaper report?

15 JUROR NO. 142: Both.

16 THE COURT: How long ago was that that you heard
17 these things?

18 JUROR NO. 142: I started hearing it last year and
19 off and on since then.

20 THE COURT: When is the last that you may recall
21 hearing anything about this case?

22 JUROR NO. 142: A couple weeks ago in the news.

23 THE COURT: Based on what you have heard, could
24 that information in any way impair your ability to serve as a
25 juror in this case --

1 JUROR NO. 142: Yes.

2 THE COURT: Thank you very much, ma'am. I
3 appreciate it.

4 THE BAILIFF: Number 143.

5 THE COURT: Yes, sir. You are juror number 143; is
6 that correct?

7 JUROR NO. 143: Yes, sir.

8 THE COURT: And what, if anything, have you heard
9 about this case, please?

10 JUROR NO. 143: I didn't hear anything before.

11 THE COURT: I'm sorry?

12 JUROR NO. 143: I didn't hear anything before.

13 Just what you're saying right here.

14 THE COURT: So you have heard nothing about this
15 case --

16 JUROR NO. 143: No.

17 THE COURT: -- from the newspaper, news media,
18 radio, television?

19 JUROR NO. 143: No.

20 THE COURT: Have you come up to tell us anything?

21 JUROR NO. 143: No.

22 THE COURT: They forgot to give us some
23 information. How old are you, please?

24 JUROR NO. 143: Forty-eight.

25 THE COURT: And are you married or single?

1 JUROR NO. 143: Married.

2 THE COURT: And what is your occupation, please?

3 JUROR NO. 143: I'm a cook.

4 THE COURT: And what about your wife?

5 JUROR NO. 143: She's power development.

6 THE COURT: What is your education, please?

7 JUROR NO. 143: High school.

8 THE COURT: And how long have you spoken the
9 English language?

10 JUROR NO. 143: About ten years.

11 THE COURT: And you fully understand the English
12 language?

13 JUROR NO. 143: I do.

14 THE COURT: Do you believe that you would have any
15 difficulty understanding anything that is said here?

16 JUROR NO. 143: Not at all. I've been here before.

17 THE BAILIFF: Number 144.

18 THE COURT: Yes, ma'am. You are juror number 144?

19 JUROR NO. 144: Correct.

20 THE COURT: What, if anything, have you heard about
21 this case, please?

22 JUROR NO. 144: I've heard on the news, on the TV,
23 that they went to deliver the furniture; when they delivered
24 the furniture, he said it didn't belong to him and that he
25 ended up shooting them in the end.

1 THE COURT: Do you remember if that was from
2 newspaper or television?

3 JUROR NO. 144: Television.

4 THE COURT: How long ago was that?

5 JUROR NO. 144: Oh, gee. Let's see. It happened
6 last year. I guess it was last summer sometime.

7 THE COURT: Have you heard anything since then?

8 JUROR NO. 144: Not recently. Yeah, I did hear
9 something. Somewhere along the way, one of his relatives, of
10 the one who was deceased, was talking about his relative had
11 passed away.

12 THE COURT: Based on what you have heard about this
13 matter, could that information in any way impair your ability
14 to sit as a juror in this case and fairly and impartially
15 determine an outcome?

16 JUROR NO. 144: Yes, I think so.

17 THE COURT: Thank you, ma'am. Appreciate it.

18 THE BAILIFF: Number 145.

19 THE COURT: Good morning, ma'am. You are juror
20 number 145.

21 JUROR NO. 145: Yes.

22 THE COURT: What, if anything, have you heard about
23 this case, please?

24 JUROR NO. 145: I read about it in *The Washington*
25 *Post*, saw it on the news, that they were Marlo deliverymen

1 and that he shot them. One died; one was injured.

2 THE COURT: And how long ago did you hear this
3 information or receive the information from the media?

4 JUROR NO. 145: I think it was in the spring.

5 THE COURT: Heard anything since then?

6 JUROR NO. 145: Just this morning.

7 THE COURT: This morning. And that was newspaper
8 or television?

9 JUROR NO. 145: On the television news.

10 THE COURT: Based on what you have heard, could
11 that information in any way impair your ability to sit as a
12 juror in this case and render a fair and impartial verdict
13 based only on the evidence to be presented?

14 JUROR NO. 145: I think, honestly, I would have to
15 be convinced that he's innocent. I think that -- right now,
16 I think he's guilty. I would have to be convinced.

17 THE COURT: Alright, ma'am. I appreciate it.

18 THE BAILIFF: Number 146.

19 THE COURT: You are juror number 146, sir; is that
20 correct?

21 JUROR NO. 146: Yes, sir.

22 THE COURT: What, if anything, have you heard about
23 this case, please?

24 JUROR NO. 146: In the paper, reading it in the
25 paper.

1 THE COURT: What do you remember reading?

2 JUROR NO. 146: About the two men that were the
3 movers. They said an argument went down. He thought they
4 were trying to steal something from his house and he shot
5 them.

6 THE COURT: Do you remember how long ago you heard
7 that information or read that information?

8 JUROR NO. 146: Maybe the day after.

9 THE COURT: Have you heard anything since then?

10 JUROR NO. 146: It was in the paper a couple times,
11 a couple months after that, the other incident.

12 THE COURT: The other incident, you say? What do
13 you recall about that?

14 JUROR NO. 146: Just what they said. The guy
15 walked up to the door and they said he threatened him or
16 something.

17 THE COURT: Based on what you have heard, could
18 that in any way impair your ability to serve as a juror in
19 this case and render a fair and impartial verdict based only
20 on the evidence?

21 JUROR NO. 146: No.

22 THE COURT: Thank you, sir. Appreciate it.

23 THE BAILIFF: Number 147.

24 THE COURT: What's your juror number, sir? I'm
25 sorry.

1 JUROR NO. 147: Oh, 147.

2 THE COURT: And what, if anything, have you heard
3 about this case, please?

4 JUROR NO. 147: Other than what I've seen on the
5 news, I haven't really followed it that much.

6 THE COURT: Do you recall what was said on the
7 news?

8 JUROR NO. 147: Not really, no.

9 THE COURT: So you don't recall anything about this
10 incident at all?

11 JUROR NO. 147: No. I just heard that it was an
12 incident that happened that day and that was about it.

13 THE COURT: And nothing about the incident that you
14 may recall?

15 JUROR NO. 147: No.

16 THE COURT: They forgot to give us some information
17 here. How old are you, sir?

18 JUROR NO. 147: Thirty-seven.

19 THE COURT: Are you married?

20 JUROR NO. 147: No; single.

21 THE COURT: What's your occupation, please?

22 JUROR NO. 147: Network administrator for the
23 Department of Transportation.

24 THE COURT: And what's your education, please?

25 JUROR NO. 147: Social degree, Bowie State

1 University.

2 THE COURT: Thank you very much. I appreciate it.

3 THE BAILIFF: Number 148.

4 THE COURT: You are juror number 148, sir?

5 JUROR NO. 148: Yes.

6 THE COURT: What, if anything, have you heard about
7 the case, please?

8 JUROR NO. 148: Just the first day on the news.

9 THE COURT: And what is it you recall that was said
10 or you heard?

11 JUROR NO. 148: That they delivered some furniture,
12 and I guess that he shot them.

13 THE COURT: Have you heard anything else since that
14 time?

15 JUROR NO. 148: No.

16 THE COURT: Based on what you have heard, could
17 that in any way impair your ability to serve as a juror in
18 this case and render a fair and impartial verdict based only
19 on the evidence?

20 JUROR NO. 148: No.

21 THE COURT: Thank you, sir. I appreciate it.

22 Hang in there, ladies and gentlemen. We just have
23 a little while to go on this question and we are going to
24 excuse you for lunch. But you have to keep it down a little
25 bit for me. We have a little bit of noise defraction at the

1 bench because we've secured the mikes off. Please bear with
2 us. I appreciate it very much. We all do.

3 THE BAILIFF: Number 149.

4 THE COURT: Sir, you are juror number 149; is that
5 correct?

6 JUROR NO. 149: Yes, sir.

7 THE COURT: What, if anything, have you heard about
8 this case?

9 JUROR NO. 149: Things on the radio.

10 THE COURT: What do you recall?

11 JUROR NO. 149: Just the two guys were shot -- or
12 two guys were killed. Excuse me. Very, very little. I
13 don't read newspapers or watch TV, so.

14 THE COURT: How long ago do you remember hearing
15 this information?

16 JUROR NO. 149: A long time ago and then, fairly
17 recently, something was mentioned about it. But I only have
18 like a nine minute commute, so I don't get a whole lot of
19 time.

20 THE COURT: Based on what you have heard, could
21 that information in any way impair your ability to serve as a
22 juror in this case and render a fair and impartial verdict
23 based only on the evidence?

24 JUROR NO. 149: No, sir.

25 THE COURT: Thank you, sir. I appreciate it.

1 THE BAILIFF: Number 150.

2 THE COURT: You are juror number 150, ma'am?

3 JUROR NO. 150: Yes, I am.

4 THE COURT: What, if anything, have you heard about
5 this case?

6 JUROR NO. 150: Other than the initial reports on
7 the news, that's it.

8 THE COURT: What do you recall about the initial
9 reports?

10 JUROR NO. 150: Just that two people that work for
11 a furniture company were shot and that was it. I really
12 don't remember much else about it.

13 THE COURT: Have you heard anything since then,
14 after the initial reports?

15 JUROR NO. 150: No. I haven't followed it.

16 THE COURT: Based on what you have heard, could
17 that information in any way impair your ability to serve as a
18 juror in this case and render a fair and impartial verdict
19 based only on the evidence?

20 JUROR NO. 150: No. I don't know enough to.

21 THE COURT: Thank you, ma'am. Appreciate it.

22 THE BAILIFF: Number 52.

23 THE COURT: Number what?

24 THE BAILIFF: Fifty-two.

25 THE COURT: I don't have number 152. I don't have

1 anything beyond 150.

2 MR. WRIGHT: No, 52.

3 THE COURT: Oh, 52. Okay. I'm sorry about that.

4 And what, if anything, have you heard about this
5 case?

6 JUROR NO. 52: Other than what the media has
7 reported and, to be frank at this point in time, the details
8 are very vague.

9 THE COURT: Do you remember anything at all?

10 JUROR NO. 52: Well, you know, of course, about the
11 incident that was reported over a year ago, about the
12 killing. But why, I don't know. What happened inside the
13 house, I don't recall.

14 THE COURT: And how long ago would you have heard
15 that?

16 JUROR NO. 52: Probably a year ago.

17 THE COURT: Have you heard anything since then?

18 JUROR NO. 52: Other than today on the shuttle bus
19 coming over. There was a lot of scuttle. Everyone was like
20 the trial starts today.

21 THE COURT: Based on the information that you have
22 heard from any account, could that in any way impair your
23 ability to serve as a juror in this case and render a fair
24 and impartial verdict based only on the evidence?

25 JUROR NO. 52: It has no bearing on me being a

1 juror whatsoever.

2 THE COURT: Thank you very much.

3 THE BAILIFF: Number 54.

4 THE COURT: Yes, ma'am. You are juror number 54?

5 JUROR NO. 54: Um-hmm.

6 THE COURT: What, if anything, have you heard about
7 this case, ma'am?

8 JUROR NO. 54: Just what I heard on TV. And I have
9 a cousin that's a lieutenant on the county force, and just
10 pretty much a whole lot of officers on county.

11 THE COURT: Do you recall what you may have heard
12 from the news accounts or from any police officers?

13 JUROR NO. 54: That what he had did and he
14 shot them both. He came in and thought they were robbing him
15 and just stuff like that.

16 THE COURT: And what accounts have you received
17 from any of the police officers?

18 JUROR NO. 54: Pretty much the same thing, what he
19 did and he was going to trial and this and that kind of
20 stuff.

21 THE COURT: Do you recall anything more specific?

22 JUROR NO. 54: No.

23 THE COURT: When is the last time you heard
24 anything about this case?

25 JUROR NO. 54: Just this morning on the news.

1 THE COURT: On the news about the trial?

2 JUROR NO. 54: Um-hmm.

3 THE COURT: Alright, ma'am. Based on what you have
4 heard and based on your family ties with police officers,
5 could that in any way impair your ability to serve as a juror
6 in this case and render a fair and impartial verdict based
7 only on the evidence?

8 JUROR NO. 54: Yes, because I already know he's
9 guilty.

10 THE COURT: Thank you, ma'am. I appreciate it.

11 THE BAILIFF: And number 55.

12 THE COURT: Yes, ma'am. You are juror number 55?

13 JUROR NO. 55: Yes, sir.

14 THE COURT: What, if anything, have you heard about
15 this case, please?

16 JUROR NO. 55: No more than seeing it on TV and --

17 THE COURT: Do you recall what you may have seen or
18 heard on TV?

19 JUROR NO. 55: Just who the person was accused of
20 the crime and the two people that were shot.

21 THE COURT: Okay. Do you remember how long ago
22 that was?

23 JUROR NO. 55: Maybe a month or two.

24 THE COURT: Have you heard anything since then?

25 JUROR NO. 55: No.

1 THE COURT: And based on what you have heard, could
2 that in any way impair your ability to serve as a juror in
3 this case and render a fair and impartial verdict based only
4 on the evidence?

5 JUROR NO. 55: I don't think so.

6 THE COURT: Thank you, ma'am. I appreciate it.

7 Let's see if there are any challenges for cause
8 that are agreed upon between counsel. So I'll go through my
9 notes first, and then you can put forward any others you wish
10 to.

11 Juror number 1.

12 MR. COHEN: Agreed.

13 MR. MOOMAU: Agreed.

14 THE COURT: Juror number 1 is stricken for cause by
15 agreement of the parties.

16 Juror number 5.

17 MR. MOOMAU: Agreed.

18 MR. COHEN: Agreed.

19 THE COURT: Juror number 5 is stricken for cause by
20 agreement of the parties.

21 Juror number 9.

22 MR. WRIGHT: Agree.

23 MR. STARR: Agreed.

24 THE COURT: Juror number 9 is stricken for cause by
25 agreement of the parties.

1 MR. COHEN: I'm not sure of your process. Our
2 number 7, should we wait until the end?

3 THE COURT: Yes. Juror number 10.

4 MR. MOOMAU: Agree.

5 MR. STARR: Agree.

6 THE COURT: Juror number 10 is stricken for cause
7 by agreement of the parties.

8 Juror number 12?

9 MR. COHEN: Agree.

10 MR. MOOMAU: Agree.

11 THE COURT: Juror number 12 is stricken for cause
12 by agreement of the parties.

13 Juror number 15?

14 MR. WRIGHT: Agree.

15 MR. COHEN: Agree.

16 THE COURT: Juror number 15 is stricken for cause
17 by agreement of the parties.

18 Juror number 19.

19 MR. WRIGHT: The State does not agree.

20 THE COURT: Oh, I'm sorry; that's not 19. I'm
21 sorry; that's number 20.

22 MR. WRIGHT: The State agrees.

23 THE COURT: Defense, do you agree with juror number
24 20?

25 MR. COHEN: Yes.

1 THE COURT: Juror number 20 is stricken for cause
2 by agreement of the parties.

3 Juror number 24?

4 MR. WRIGHT: Agree.

5 MR. COHEN: Agree.

6 THE COURT: Juror number 24 is stricken for cause
7 by agreement of the parties.

8 Juror number 26?

9 MR. WRIGHT: Agree.

10 MR. COHEN: Agreed, Your Honor.

11 THE COURT: Juror number 26 is stricken for cause
12 by agreement of the parties.

13 Juror number 28?

14 MR. WRIGHT: Agree.

15 MR. COHEN: Agreed.

16 THE COURT: Juror number 28 is stricken for cause
17 by agreement of the parties.

18 Juror number 29.

19 MR. WRIGHT: Agree.

20 MR. COHEN: Agree.

21 THE COURT: Juror number 29 is stricken for cause
22 by agreement of the parties.

23 Juror number 34?

24 MR. WRIGHT: Agree.

25 MR. COHEN: Agreed.

1 THE COURT: Juror number 34 is stricken for cause
2 by agreement of the parties.

3 Juror number 35?

4 MR. WRIGHT: Agree.

5 MR. COHEN: Agreed.

6 THE COURT: Juror number 35 is stricken for cause
7 by agreement of the parties.

8 Juror number 42?

9 MR. WRIGHT: Agree.

10 MR. COHEN: Court's indulgence. Agreed, Your
11 Honor.

12 THE COURT: Juror number 42 is stricken for cause
13 by agreement of the parties.

14 Juror number 45?

15 MR. WRIGHT: Agree.

16 MR. COHEN: Agreed, Your Honor.

17 THE COURT: Juror number 45 is stricken for cause
18 by agreement of the parties.

19 Juror number 46?

20 MR. WRIGHT: The State does not agree.

21 MR. COHEN: Agreed.

22 THE COURT: Juror number 46 is stricken for cause
23 at the request of the defendant.

24 Juror number 54?

25 MR. COHEN: Agreed.

1 MR. WRIGHT: Agree.

2 THE COURT: Juror number 54 is stricken for cause
3 by agreement of the parties.

4 Juror number 58?

5 MR. WRIGHT: Agree.

6 MR. COHEN: Agreed.

7 THE COURT: Juror number 58 is stricken for cause
8 by agreement of the parties.

9 Juror number 60?

10 MR. WRIGHT: Agree.

11 MR. COHEN: Agreed.

12 THE COURT: Juror number 60 is stricken for cause
13 by agreement of the parties.

14 Juror number 62?

15 MR. WRIGHT: Agree.

16 MR. COHEN: Agreed.

17 THE COURT: Juror number 62 is stricken for cause
18 by agreement of the parties.

19 Juror number 64?

20 MR. WRIGHT: Agree.

21 MR. COHEN: Agreed.

22 THE COURT: Juror number 64 is stricken for cause
23 by agreement of the parties.

24 Juror number 65?

25 MR. WRIGHT: Agree.

1 MR. COHEN: Agreed.

2 THE COURT: Juror number 65 is stricken for cause
3 by agreement of the parties.

4 Juror number 67?

5 MR. WRIGHT: Agree.

6 MR. COHEN: Agreed.

7 THE COURT: Juror number 67 is stricken for cause
8 by agreement of the parties.

9 Juror number 68?

10 MR. WRIGHT: Agree.

11 MR. COHEN: Agreed.

12 THE COURT: Juror number 68 is stricken for cause
13 by agreement of the parties.

14 Juror number 74?

15 MR. WRIGHT: Agree.

16 MR. COHEN: Agreed.

17 THE COURT: Juror number 74 is stricken for cause
18 by agreement of the parties.

19 Juror number 75?

20 MR. WRIGHT: Agree.

21 MR. COHEN: Agreed.

22 THE COURT: Juror number 75 is stricken for cause
23 by agreement of the parties.

24 Juror number 76?

25 MR. WRIGHT: Agree.

1 MR. COHEN: Agreed.

2 THE COURT: Juror number 76 is stricken for cause
3 by agreement of the parties.

4 Juror number 78?

5 MR. WRIGHT: Agree.

6 MR. COHEN: Agree.

7 THE COURT: Juror number 78 is stricken for cause
8 by agreement of the parties.

9 I think we've already done 82.

10 MR. WRIGHT: No, we haven't.

11 THE COURT: Pardon me?

12 MR. COHEN: Yes, we did.

13 THE COURT: Juror number 83?

14 MR. WRIGHT: Agreed on 83.

15 MR. COHEN: Agreed.

16 THE COURT: Juror number 83 is stricken for cause
17 by agreement of the parties.

18 Juror number 84?

19 MR. WRIGHT: Agree.

20 MR. COHEN: Agreed.

21 THE COURT: Juror number 84 is stricken for cause
22 by agreement of parties.

23 Juror number 85?

24 MR. WRIGHT: Agree.

25 MR. COHEN: Agreed

1 THE COURT: Juror number 85 is stricken for cause
2 by agreement of the parties.

3 Juror number 86?

4 MR. WRIGHT: Agree.

5 MR. COHEN: Agreed.

6 THE COURT: Juror number 86 is stricken for cause
7 by agreement of the parties.

8 Juror number 87?

9 MR. WRIGHT: Agree.

10 MR. COHEN: Agreed.

11 THE COURT: Juror number 87 is stricken for cause
12 by agreement of the parties.

13 Juror number 89?

14 MR. WRIGHT: Agree.

15 MR. COHEN: Agreed.

16 THE COURT: Juror number 89 is stricken for cause
17 by agreement of the parties.

18 Juror number 90?

19 MR. WRIGHT: Agree.

20 MR. COHEN: Agreed.

21 THE COURT: Juror number 90 is stricken for cause
22 by agreement of the parties.

23 Juror number 99?

24 MR. COHEN: Agreed.

25 MR. WRIGHT: Yes, agree.

1 THE COURT: Juror number 99 is stricken for cause
2 by agreement of the parties.

3 Number 105?

4 MR. WRIGHT: Agree.

5 MR. COHEN: Agreed.

6 THE COURT: Stricken for cause by agreement of the
7 parties.

8 Number 113?

9 MR. WRIGHT: Agree.

10 MR. COHEN: Agreed.

11 THE COURT: Stricken for cause by agreement of the
12 parties.

13 Number 116?

14 MR. WRIGHT: Agree.

15 MR. COHEN: Agreed.

16 THE COURT: Stricken for cause by agreement of the
17 parties.

18 Number 117?

19 MR. WRIGHT: Agree.

20 MR. COHEN: Agreed.

21 THE COURT: Stricken for cause by agreement of the
22 parties.

23 Number 119?

24 MR. WRIGHT: Agree.

25 MR. COHEN: Agreed.

1 THE COURT: Stricken for cause by agreement of the
2 parties.

3 Number 120?

4 MR. WRIGHT: Agree.

5 MR. COHEN: Agreed.

6 THE COURT: Stricken for cause by agreement of the
7 parties.

8 Number 122?

9 MR. WRIGHT: Agree.

10 MR. COHEN: Agreed.

11 THE COURT: Stricken for cause by agreement of the
12 parties.

13 Number 126?

14 MR. WRIGHT: Agree.

15 MR. COHEN: Agreed.

16 THE COURT: Stricken for cause by agreement of the
17 parties.

18 Number 127?

19 MR. WRIGHT: Agree.

20 MR. COHEN: Agreed.

21 THE COURT: Stricken for cause by agreement of the
22 parties.

23 Number 133.

24 MR. WRIGHT: Agreed.

25 MR. COHEN: Agreed.

1 THE COURT: Stricken for cause by agreement of the
2 parties.

3 Number 134?

4 MR. WRIGHT: Agree.

5 MR. COHEN: Agreed.

6 THE COURT: Stricken for cause by agreement of the
7 parties.

8 Number 136?

9 MR. WRIGHT: Agreed.

10 MR. COHEN: Agreed.

11 THE COURT: Stricken for cause by agreement of the
12 parties.

13 Number 138?

14 MR. WRIGHT: Agree.

15 MR. COHEN: Agreed.

16 THE COURT: Stricken for cause by agreement of the
17 parties.

18 Number 140?

19 MR. WRIGHT: Agree.

20 MR. COHEN: Agreed.

21 THE COURT: Stricken for cause by agreement of the
22 parties.

23 Number 142?

24 MR. WRIGHT: Agree.

25 MR. COHEN: Agreed.

1 THE COURT: Stricken for cause by agreement of the
2 parties.

3 Number 145?

4 MR. WRIGHT: Agree.

5 MR. COHEN: Yes, agreed.

6 THE COURT: Stricken for cause by agreement of the
7 parties.

8 You have one that you wanted to strike?

9 MR. COHEN: I had number 144, Your Honor. That's
10 why I paused; I had it also.

11 MR. WRIGHT: I did too.

12 MR. COHEN: Cannot be fair is what I had down.

13 THE COURT: You had that?

14 MR. MOOMAU: I had it.

15 THE COURT: Number 144 is stricken by agreement of
16 the parties.

17 And you had number 7, you said?

18 MR. COHEN: I had 54, Your Honor. On that new crew
19 that came in later.

20 THE COURT: We already struck her.

21 MR. COHEN: Yes, 7, Your Honor. Her concern is
22 actually with the -- she had conversations in the state's
23 attorney's office about Mr. Washington's character, and she
24 knows that he has an arrogant character, and that's the
25 conversations that she's heard of with the state's attorney's

1 office.

2 MR. WRIGHT: At this point, Your Honor, she said
3 she could be fair and impartial with the information she has
4 received over the television and through her conversations.

5 THE COURT: She did indicate that on that question.

6 MR. WRIGHT: However, I'm sure we will address it
7 later, at the next question. Not the next question, but the
8 next series of questions will address it.

9 THE COURT: Well, at this point, based on her
10 answer that I have recorded, that she could be fair, I'm not
11 going to exercise or grant your challenge for cause.

12 MR. COHEN: I understand. Court's indulgence then.
13 I think there's only about one or two more. Just so my
14 record is clear, 39 has been stricken with the English issue?
15 The language issue?

16 THE COURT: Yes. Stricken for cause by agreement
17 of parties for language.

18 MR. COHEN: Court's indulgence. Number 48, Your
19 Honor. I'm sorry, 49. The statements made about she was
20 aware of defense issue. The issues that there is evidence
21 that the judge has prevented from coming in, that she says
22 she is aware of. I think she went as far as to say something
23 along the lines of him being paranoid. So our concern is
24 that she is aware, has been in touch with or in contact with
25 the evidence that the Judge has excluded as inadmissible in

1 this case.

2 MR. STARR: She specifically said that she's aware
3 that he suffers from some kind of paranoia.

4 THE COURT: She, I believe, indicated that she was
5 aware of accounts that she has heard concerning those issues,
6 but the ultimate question came about whether or not she could
7 fairly and impartial deliberate. My notes reflect that she
8 answered affirmative, that she could. So, with respect, I'm
9 going to deny your request to exercise a peremptory
10 challenge.

11 MR. COHEN: Court's indulgence. I think that is
12 it.

13 Just 104, Your Honor. There was a statement made
14 by the witness that, when you first asked her, she said her
15 answer was probably not. Then you followed up, and she said
16 I do not remember enough now, but it may change if I remember
17 more. The concern with her memory coming back and that
18 changing her probably not to a she can't be fair and
19 impartial.

20 MR. WRIGHT: She said she could be fair and
21 impartial to the evidence as she heard it.

22 THE COURT: I agree, but I also agree that, in
23 fact, she said that it seemed to hinge on what account she
24 may recall or may not recall during the course of the trial.
25 I'm going to grant the defense exercise for a peremptory

1 challenge on 104, over the State's objection.

2 MR. COHEN: Court's indulgence. Your Honor, just
3 to confirm for our records. Number 133 has been stricken for
4 cause by agreement of the parties; is that correct?

5 THE COURT: Yes.

6 MR. COHEN: I'm sorry, Your Honor. We're going so
7 quick. Number 144, is that individual being stricken for
8 cause?

9 THE COURT: Yes.

10 MR. COHEN: That is it.

11 THE COURT: Let me excuse those particular jurors
12 first, if you don't mind, and then I'll admonish the
13 remainder. Thank you.

14 (Counsel returned to trial tables and the following
15 ensued.)

16 THE COURT: Ladies and gentlemen, the juror numbers
17 that I'm about to call have been excused from juror service.
18 I'm going to ask you to report back to the juror's lounge and
19 give them your card. I don't know whether they have any more
20 work for you to do. I'm not sure, but you're free to go to
21 the main juror's lounge and turn your cards back in.

22 Juror number 1, juror number 5, juror number 9,
23 juror number 10, number 11, number 12, number 15, number 20,
24 number 24, 26, 28, 29, 34, 35, 39, 42, 45, 46, 54, 58, juror
25 number 60, 62, 64, 65, 67, 68, number 74, 75, 76, 78, 82, 83,

1 84, 85, 86, 87, 89, 90, 99, 104, 105, 113, 116, 117, 119,
2 120, 122, 126, 127, 133, 134, 136, 138, 140, 142, 144, 145.

3 We did not strike number 121, sir. You'll have to
4 have a seat back in the audience.

5 MR. WRIGHT: May we approach, Your Honor?

6 THE COURT: Yes.

7 MR. WRIGHT: It appears, by my watch, number 81 may
8 have excused himself.

9 THE COURT: Eighty-one?

10 MR. WRIGHT: Yes.

11 THE COURT: Juror number 81?

12 THE DEPUTY CLERK: Do you want me to call the
13 lounge and have him sent back?

14 THE COURT: Yes, call the lounge and have him sent
15 back. Thank you, Mr. Wright.

16 MR. WRIGHT: You're welcome.

17 THE COURT: Ladies and gentlemen -- I'll do another
18 admonition to number 81 when he comes back.

19 Ladies and gentlemen, we are now going to recess
20 for lunch, and I'm going to give you until 2:30 to return
21 back. Sheila, where do you want the jury to go?

22 THE BAILIFF: The jury lounge downstairs.

23 THE COURT: You need to report by 2:30, promptly,
24 if you wouldn't mind, to the main jury lounge, the place from
25 whence you came originally.

1 I also need to admonish you that you are not to
2 discuss anything with anyone about what little you have heard
3 thus far during the jury selection process, with anyone. You
4 can't even discuss anything between yourselves about any
5 issue, any question that was propounded to you at the bench,
6 or any other matter as well.

7 If you were to see any of the parties, lawyers, or
8 anyone else that you recognize from this courtroom setting,
9 at any luncheon place in Upper Marlboro, because there aren't
10 that many, we're going to ask that you remove yourself from
11 where they are so that you don't hear anything that they may
12 be discussing.

13 Likewise, if you hear anyone beginning to discuss
14 this case, or if anyone were to ask you any questions about
15 this case, whether they're part of the news media or anyone
16 else that you may or may not recognize, you're not to respond
17 to them whatsoever by giving them any information or by
18 talking to them at all.

19 If you're not familiar with Upper Marlboro, there
20 is a courthouse cafeteria located on the ground floor. If
21 you were to take the elevator to the ground floor and walk
22 north, it's the last door on your right, on the right-hand
23 side of the building.

24 We have a number of small, relatively fast food,
25 sit-down restaurants on Main Street, Upper Marlboro, which

1 would be west. The little street through the middle of Upper
2 Marlboro, all within a block or two of the courthouse, and
3 there are about five or six places there.

4 With those admonitions I'm going to ask you to
5 return to the main jurors' lounge at 2:30, and we thank you
6 thus far for your patience.

7 THE DEPUTY CLERK: Eight-one is heading back.

8 (Juror number 121 and counsel approached the bench
9 and the following ensued.)

10 THE COURT: Sir, you are not excused yet.

11 JUROR NO. 121: I know, but I'm not feeling well.
12 I have medical issues --

13 THE COURT: I know that, sir. Listen to me,
14 please. Listen to me very carefully. I have to discuss that
15 with all of the lawyers. We haven't been able to do that
16 yet. So you are not excused at this moment and --

17 JUROR NO. 121: I really -- I didn't take my food.

18 THE COURT: We're going to do the best we can, but
19 you have not been excused. And we will all talk about it in
20 a few -- okay.

21 (Juror number 81 approached the bench.)

22 THE COURT: Sir, are you number 81?

23 JUROR NO. 81: Yes.

24 THE COURT: You have not been excused from service
25 today. You have to return back at 2:30.

1 JUROR NO. 81: Okay.

2 THE COURT: Okay? You understand that, sir?

3 JUROR NO. 81: Yes, I understand.

4 THE COURT: See you all back at 2:30.

5 (At 1:20 p.m. a luncheon recess was taken.)

6 -oOo-

7 **AFTERNOON SESSION**

8 2:30 p.m.

9 (Jury panel not present upon reconvening.)

10 THE COURT: Come up to the bench.

11 (Counsel approached the bench and the following
12 ensued.)

13 THE COURT: During the interim, as these things
14 happen --

15 MR. MOOMAU: We got a note already.

16 THE COURT: Oh, no, no, no. I believe it was juror
17 81, the young man we had to call back in here. An employee
18 of the county attorney's office, Shelly Johnson, approached
19 me about ten minutes ago and said that, as he was on his way
20 out of the courtroom, in the hallway, he was on his cell
21 phone, talking to somebody indicating that he felt that the
22 man was guilty -- and I'm paraphrasing the words. I think
23 we're going to have to bring him back up to the bench.

24 What I propose to do in this scenario or setting is
25 to have the roll call of the jury, to make sure that they've

1 all returned, number one; ask them if they were exposed to
2 any information during the luncheon break; and then bring 81
3 back to the bench and ask about that setting. Ms. Johnson is
4 in the courtroom, should we need her.

5 MR. COHEN: Great.

6 MR. MOOMAU: Okay.

7 (Counsel returned to trial tables and the
8 following ensued.)

9 (The jury panel returns to the courtroom at
10 2:35 p.m.)

11 THE DEPUTY CLERK: Criminal trial 07-1664X, State
12 of Maryland versus Keith Washington.

13 **VOIR DIRE EXAMINATION OF JURORS (continued)**

14 THE COURT: Thank you, ladies and gentlemen, for
15 being patient with us. Even though we have the largest
16 courtroom in the courthouse, you can see that it still leaves
17 it to be a little bit crowded with the number of prospective
18 jurors that we have. I hope you were all able to enjoy some
19 aspect of lunch today.

20 The first thing we're going to do is take a roll,
21 to make sure that we have everyone who left us at around 1:30
22 and that they have returned. Madam Clerk.

23 THE DEPUTY CLERK: Number 2.

24 THE COURT: When you hear your name being called,
25 if you would, please, just raise your hand.

1 THE DEPUTY CLERK: Juror number 2, number 3, juror
2 number 4, juror number 6, juror number 7, juror number 8,
3 juror number 13, juror number 14, juror number 16, juror
4 number 17, juror number 18, juror number 19, juror number 21,
5 juror number 22, juror number 23, juror number 25, juror
6 number 27, juror number 30, juror number 31, juror number 32,
7 juror number 33, juror number 36, juror number 37, juror
8 number 38, juror number 40, juror number 41, juror number 43,
9 juror number 44, juror number 47, juror number 48, juror
10 number 49, juror number 50, juror number 51, juror number 52,
11 juror number 53, juror number 55, juror number 56, juror
12 number 57, juror number 59, juror number 61, juror number 63,
13 juror number 66, juror number 69, juror number 70, juror
14 number 71, juror number 72, juror number 73, juror number 77,
15 juror number 79, juror number 80, juror number 81, juror
16 number 88, juror number 91, juror number 92, juror number 93,
17 juror number 94, juror number 95, juror number 96, juror
18 number 97, juror number 98, juror number 100, juror number
19 101, juror number 102, juror number 103, juror number 106,
20 juror number 107, juror number 108, juror number 109, juror
21 number 110, juror number 111, juror number 112, juror number
22 114, juror number 115, juror number 118, juror number 121,
23 juror number 123, juror number 124, juror number 125, juror
24 number 128, juror number 129, juror number 130, juror number
25 131, juror number 132, juror number 135, juror number 137,

1 juror number 139, juror number 141, juror number 143, juror
2 number 146, juror number 147, juror number 148, juror number
3 149, and juror number 150.

4 THE COURT: Thank you. Counsel wish to approach
5 the bench for a minute? Juror number 81, would you please
6 come up, please.

7 (Juror number 81 and counsel approached the bench
8 and the following ensued.)

9 THE COURT: You are juror number 81, sir; is that
10 correct?

11 JUROR NO. 81: Yes.

12 THE COURT: It has been reported to us that, on
13 your way out of the courtroom, out in the hall area, that you
14 were on your cell phone, talking to somebody, giving them
15 your opinion or impression or telling them that your opinion
16 in this case was that the defendant was guilty; is that
17 correct?

18 JUROR NO. 81: Um-hmm.

19 THE COURT: And you did say that?

20 JUROR NO. 81: Um-hmm.

21 THE COURT: And is that your opinion?

22 JUROR NO. 81: Um-hmm.

23 THE COURT: Any objections to challenging this
24 juror for cause?

25 MR. MOOMAU: No, Your Honor.

1 MR. COHEN: No, Your Honor.

2 THE COURT: The next time I instruct about this
3 case and you disobey me, you'll be going to jail. Do you
4 understand that?

5 JUROR NO. 81: Um-hmm.

6 THE COURT: Alright, sir. You're excused from jury
7 service. Report back to the lounge and turn in your number.

8 I think now I better ask them if anybody heard
9 anything else about the case during the luncheon recess.

10 (Counsel returned to trial tables and the following
11 ensued.)

12 THE COURT: Ladies and gentlemen, is there anyone
13 who may have heard anything about this case from any source
14 during the luncheon recess? Anybody who may have heard
15 anything about this case from any source during the lunch
16 recess? The Court sees no affirmative response.

17 Mr. Washington, would you please stand and face the
18 prospective jury, sir.

19 Ladies and gentlemen, the defendant in this case is
20 Keith A. Washington. Is there any member of this prospective
21 jury panel who may be personally or professionally acquainted
22 with Mr. Washington? The Court sees no affirmative response.

23 Mr. Washington is represented by Vincent H. Cohen,
24 Jr., and Michael Starr, the two gentlemen standing before
25 you. Is there any member of this prospective jury panel who

1 may be personally or professionally acquainted with either
2 Mr. Cohen or Mr. Starr? Again, the Court sees no affirmative
3 response.

4 The State of Maryland is represented by William
5 Moomau, Joseph Wright, and Raemarie Zanzucchi, all assistant
6 state's attorneys from Prince George's County. Is there any
7 member of this prospective jury panel who may be personally
8 or professionally acquainted with any of these people?

9 Yes, ma'am, would you please stand. And your juror
10 number, please?

11 JUROR NO. 7: Seven.

12 THE COURT: Do you want to take those answers at
13 the bench or do you want to --

14 MR. COHEN: Yes.

15 (Counsel approached the bench and the following
16 ensued.)

17 THE BAILIFF: Number 7.

18 THE COURT: Juror number 7, correct?

19 JUROR NO. 7: Yes.

20 THE COURT: And you know Mr. Moomau, Ms. Zanzucchi
21 and Mr. Wright because?

22 JUROR NO. 7: Because my office is right next to
23 his, and I used to be his coordinator. I may have helped her
24 on a previous case.

25 THE COURT: By saying coordinator, you mean

1 victim/witness coordinator for the Office of the State's
2 Attorney for Prince George's County?

3 JUROR NO. 7: That's correct.

4 THE COURT: And how long have you been employed in
5 that capacity there?

6 JUROR NO. 7: Six years.

7 THE COURT: And you've worked with all three of
8 these assistant state's attorneys?

9 JUROR NO. 7: Yes.

10 THE COURT: Would the fact that your occupation, or
11 the fact that you know Mr. Moomau, Ms. Zanzucchi and
12 Mr. Wright as co-employees with the Office of the State's
13 Attorney, in any way impair your ability to serve as a juror
14 in this case and render a fair and impartial verdict based
15 only on the evidence that would be presented?

16 JUROR NO. 7: I don't have -- I would have to say
17 no. Well, I think I would be good, but it's too close. I
18 practically sit on his lap.

19 THE COURT: My question was would the fact that you
20 know these people in any way impair your ability to serve as
21 a juror in this case and render a fair and impartial verdict?

22 JUROR NO. 7: No.

23 MR. COHEN: I'm sorry. Your Honor, I think that
24 some follow-up is necessary --

25 THE COURT: Tell me what you want me to ask.

1 MR. STARR: I understood the juror to be expressing
2 the sentiment that she was too close to the prosecutors to be
3 fair.

4 THE COURT: I rephrased the question as best as I
5 could because I felt that she didn't understand it the first
6 time around, but I'll try it again.

7 Correct me if I'm wrong, but my question to you
8 was, based on your employment and/or the fact that you know
9 all three of these assistant state's attorneys, did you say
10 that that could impair your ability to serve as a juror and
11 render a fair and impartial verdict, or did you say that it
12 would not impair your ability to serve as a juror and render
13 a fair and impartial verdict?

14 JUROR NO. 7: I'm going to say it would affect me.

15 THE COURT: That it would affect you.

16 JUROR NO. 7: Yes.

17 THE COURT: Based on that, we appreciate your
18 candor and thank you. You can have a seat.

19 THE BAILIFF: And number 17.

20 THE COURT: Yes, ma'am.

21 JUROR NO. 17: Your Honor --

22 THE COURT: And who do you know from amongst --

23 JUROR NO. 17: Mr. Wright.

24 THE COURT: How do you know Mr. Wright?

25 JUROR NO. 17: He used to handle cases when I was

1 in narcotics. From 1999 to about 2003, he handled a couple
2 of cases for me.

3 THE COURT: Based on your knowledge of Mr. Wright
4 or your work with Mr. Wright or any professional relationship
5 you had with Mr. Wright on those particular cases, would that
6 in any way impair your ability to serve as a juror in this
7 case and render a fair and impartial verdict based only on
8 the evidence that would be presented?

9 JUROR NO. 17: No, it would not.

10 THE COURT: Thank you, ma'am. I appreciate it.

11 MR. COHEN: When Your Honor asked the question,
12 there was a young lady in the second row, to my right, who
13 mouthed the words "I don't know if I know him," when you
14 asked did anyone know Keith Washington. She's the second one
15 in from the right, in the second row.

16 I don't know if the Court wants to bring her up and
17 ask her any follow-up on that. I did see her lips move and
18 say that. I don't know what number she is. She's next to
19 the gentleman in the blue shirt in the second row. He's on
20 the end. She's sitting to his right.

21 THE COURT: Sheila, second row, on my right, this
22 way, the young lady sitting next to the man in the blue
23 sweater, would you bring her up. We don't know what the
24 number is. Second row, the man with the blue sweater, next
25 to him. On the far end.

1 MR. COHEN: Yes.

2 THE BAILIFF: Number 109.

3 THE COURT: Come on up, ma'am. Thank you for
4 coming up. Someone has mentioned to us, when I asked the
5 question is there any prospective jury panel member who may
6 be personally or professionally acquainted with
7 Mr. Washington, you may have said something out loud, but I'm
8 not sure --

9 JUROR NO. 109: Well, I didn't say anything out
10 loud, but I was wondering what did you mean by that, because
11 I saw him two years ago at a rally.

12 THE COURT: What I mean by that is do you
13 personally know him?

14 JUROR NO. 109: Oh, no.

15 THE COURT: And have you ever been introduced to
16 him?

17 JUROR NO. 109: No.

18 THE COURT: Have a conversation with him?

19 JUROR NO. 109: No.

20 THE COURT: Or do you know him in any professional
21 context or have contact with him during the time he was a
22 police officer or social contact?

23 JUROR NO. 109: No, sir.

24 THE COURT: Thank you for coming up.

25 MR. COHEN: Thank you, Your Honor.

1 MR. WRIGHT: Your Honor, that does bring up a
2 point. He was a political figure for a significant amount of
3 time for which he did give speeches and rallies.

4 THE COURT: She said she had no social contact, no
5 professional contact. Thank you.

6 (Counsel returned to trial tables and the following
7 ensued.)

8 THE COURT: The Court sees no other affirmative
9 responses.

10 Ladies and gentlemen, I'm going to read to you a
11 list of witnesses who may be called to testify in this case.
12 After I read the entire list, then I'm going to ask you if
13 any of this panel may be personally or professionally
14 acquainted with any of these witnesses. It's a little bit of
15 a lengthy list, so I will do it relatively slow.

16 The first are police officers who may be called in
17 this case: Kevin McSwain, George Nichols, Robert McDaniel,
18 Ancil Delancy, George Jones, Ray Westfall, Charles Nelson,
19 Gary Taylor, William Clelland, Jeremy Webb, Paul Tucker,
20 Charles Walls, David Thompson, Marc Boyden, Kenneth Doyle,
21 Darren Livingston, and Stacey Hampton.

22 MR. WRIGHT: Your Honor, you may have overlooked
23 one name, Robert Taylor.

24 THE COURT: And Robert Taylor. I'm going to go on
25 to the civilian witnesses that may be called to testify:

1 Marilyn Clark, Robert White, Daniel Smart, David Maslousky,
2 Anthony Carvana, Kevin McAfee, Katherine Keys, Winona Howard,
3 Dennis Tozner, Blanche Thompson, Ellis Washington, Kenneth
4 Whitcomb, Diane Henderson, Bernice -- it's either Simons or
5 Simmons, but I believe it's Simons; Stacey Washington,
6 Jonathan Arden, M.D., Brittany Coleman, John Boseman, Robert
7 Baker, and Angela Hampton.

8 Do you want to approach the bench for a minute?

9 (Counsel approached the bench and the following
10 ensued.)

11 THE COURT: I just forgot to ask you and left off
12 the name. I just want to make sure that you want me to read
13 Keith Washington.

14 MR. COHEN: That's fine.

15 THE COURT: Did I miss any of the witnesses?

16 MR. WRIGHT: There was a second page that you did
17 not make mention of for the State.

18 THE COURT: Well, then we'll keep ongoing.

19 MR. WRIGHT: You have the second page?

20 THE COURT: Yes.

21 MR. COHEN: And we need to add in a possible
22 witness, Deborah, D-e-b-o-r-a-h, Martin, M-a-r-t-i-n.

23 (Counsel returned to trial tables and the following
24 ensued.)

25 THE COURT: To continue on, ladies and gentlemen.

1 Keith Washington, Bob Lawrence, David Jordan, Jr., Katherine
2 Fortgung, David Hamrick, Richard Carthorne, Joshua Carlson,
3 Christina Beavers, Michael Robinson, Robert Rascoe, Sr.,
4 Steven Gorham, Lewis Newbit, Gloria Roundtree, Clarisse
5 Witherspoon, Ali Khan, M.D., Laron Locke, M.D., Karen Dixon,
6 M.D., Sandra Maria Sabongan, Susan Lee, Leanora Brun -- I'm
7 sorry. Leanora Brun-Conti, Monica Ammann, Nilda Concepcion,
8 Leandra Best, and Debra Martin.

9 From the list that I read to you of witnesses who
10 may be called in this case, is there any member of this
11 prospective jury panel who may be personally or
12 professionally acquainted with the names that I called? The
13 Court sees no -- one. Your juror number, sir?

14 JUROR NO. 16: Sixteen.

15 THE COURT: Would you come on up, please.

16 Gentlemen, come on up.

17 (Counsel approached the bench and the following
18 ensued.)

19 THE BAILIFF: Number 16.

20 THE COURT: You are juror number 16; is that
21 correct, sir?

22 JUROR NO. 16: Um-hmm.

23 THE COURT: Who is it among those --

24 JUROR NO. 16: Reggie Baker.

25 MR. WRIGHT: Your Honor, we didn't hear that name.

1 Did you say Reginald Baker?

2 MR. COHEN: I believe it's Robert Baker.

3 THE COURT: I don't see that, but tell me -- here
4 we go, Robert Baker. How do you know him, sir?

5 JUROR NO. 16: He's close to family.

6 THE COURT: Close to your family?

7 JUROR NO. 16: Yeah, I mean, real close to family.
8 I've known him ever since I was 17.

9 MR. MOOMAU: The Robert Baker you're talking about,
10 where does he live at?

11 JUROR NO. 16: He lives in Fort Washington, where
12 his mother lives. His mother lives in -- what's the name of
13 that place?

14 MR. STARR: We're trying to figure out if it's the
15 same person.

16 THE COURT: Do you have an address for her?

17 JUROR NO. 16: It's either Reggie Baker or Robert
18 Baker. I call him Reggie Baker.

19 MR. MOOMAU: Your Honor, we could -- if you want to
20 move on to something else, we could get that address.

21 THE COURT: Have you seen Mr. Baker?

22 MR. MOOMAU: No.

23 JUROR NO. 16: Because some of the names you just
24 called out, I have cousins that are police officers. The
25 ones that you didn't call out, I have some of them on the

1 force.

2 THE COURT: Well, that's a question that's coming
3 up. Do you want me to pass this for a moment?

4 MR. STARR: If the Court could ask for a physical
5 description.

6 THE COURT: Yes, could you describe the man --

7 JUROR NO. 16: A big, stocky guy.

8 MR. STARR: Do you know what race he is?

9 JUROR NO. 16: He's lighter than me and kind of
10 chubby.

11 MR. STARR: He's black.

12 JUROR NO. 16: Yes, black, kind of chubby.

13 MR. STARR: I don't think it's the same person.

14 JUROR NO. 16: But I know him as Reggie Baker
15 though.

16 THE COURT: Well, why don't we do this. We may
17 call you back up at the bench at a later time just to make
18 sure. Do you mind?

19 JUROR NO. 16: Okay.

20 THE COURT: Thank you.

21 (Counsel returned to trial tables and the following
22 ensued.)

23 THE BAILIFF: And number 98.

24 THE COURT: Yes, sir?

25 JUROR NO. 98: I do not know if I know the person.

1 I do know a Susan Lee. It's a very common name, so it may
2 very well not be.

3 THE COURT: And you're juror number 98; is that
4 correct?

5 JUROR NO. 98: Yes.

6 MR. MOOMAU: Can I ask a question?

7 THE COURT: Yes.

8 MR. MOOMAU: The Susan Lee you know, is she Asian?

9 JUROR NO. 98: Yes, and she's from Bowie, Maryland.

10 MR. MOOMAU: I'm not sure where she lives.

11 JUROR NO. 98: She used to live in Bowie, Maryland.

12 MR. MOOMAU: Does she work for the police
13 department?

14 JUROR NO. 98: As far as I know, she does not.

15 MR. MOOMAU: Well, she is Asian. She's a firearms
16 examiner with the police department.

17 JUROR NO. 98: That's not the Susan Lee that I
18 know.

19 THE COURT: Thank you.

20 THE BAILIFF: And number 14.

21 THE COURT: You are juror number 14?

22 JUROR NO. 14: Fourteen.

23 THE COURT: Yes, ma'am. Who do you know?

24 JUROR NO. 14: My first husband is Washington. I
25 have no idea if he is -- that is somewhat of a large family.

1 I would have to ask him if Mr. Washington or the Washingtons
2 that you mentioned --

3 THE COURT: What's your ex-husband's full name?

4 JUROR NO. 14: Ronald Eugene Washington. I mean, I
5 don't know. I just want to bring it to your attention just
6 in case.

7 THE COURT: Would you ask your client.

8 MR. STARR: It's your ex-husband?

9 THE COURT: Ronald Eugene Washington.

10 (Defense counsel consults with the defendant.)

11 MR. STARR: He doesn't know anyone by that name.

12 MR. MOOMAU: That's fine.

13 THE COURT: Thank you very much, ma'am. Now, this
14 is one that you may as well stay put. This will be the other
15 one that's going to take up the remainder of the day,
16 probably.

17 MR. COHEN: Your Honor, you were -- I'm just going
18 to get my list, but you can go ahead.

19 THE COURT: Ladies and gentlemen, the next question
20 I'm going to read to you twice and ask that you listen to it
21 very carefully and then, if any of you have a yes or an
22 affirmative answer, please stand again, and we're going to
23 take your answers at the bench as we did on the first
24 question of the day.

25 Is there any member of this prospective jury panel,

1 member of your immediate family or close personal friend who
2 has ever been the victim of a crime, a witness to a crime,
3 arrested for, charged with, or convicted of a crime,
4 excluding routine motor vehicle violations?

5 I'll read it again. There are a couple different
6 parts to it. Is there any member of this prospective jury
7 panel, member of your immediate family or close personal
8 friend who has ever been the victim of a crime, a witness to
9 a crime, arrested for, charged with, or convicted of a crime,
10 excluding routine motor vehicle violations?

11 If anyone has a yes answer, please stand. Now,
12 there's a lot less than stood up before, so.

13 THE BAILIFF: Number 3.

14 THE COURT: Yes, you are juror number 3, correct?

15 JUROR NO. 3: Yes, sir.

16 THE COURT: What was your response to that
17 question, please?

18 JUROR NO. 3: I'm pretty much the victim of
19 break-in and theft on my property.

20 THE COURT: How long ago was that, please?

21 JUROR NO. 3: November.

22 THE COURT: Was anyone ever apprehended for it?

23 JUROR NO. 3: No, not yet.

24 THE COURT: Is the investigation still ongoing, if
25 you know?

1 JUROR NO. 3: Are you satisfied with the way things
2 are being handled thus far.

3 JUROR NO. 3: Thus far.

4 THE COURT: Has any property been recovered?

5 JUROR NO. 3: No, not yet.

6 THE COURT: Would what happened to you -- by the
7 way, did this occur in Prince George's County?

8 JUROR NO. 3: Yes, it did.

9 THE COURT: Would what happened to you in this
10 particular setting in any way impair your ability to serve as
11 a juror and serve as a juror and -- I've said it so much,
12 I've lost my train of thought.

13 Would you be able to sit as a juror in this case
14 and render a fair and impartial verdict based only on the
15 evidence, as a result of what happened to you in the case
16 that you're describing?

17 JUROR NO. 3: Yes, I would be able to serve.

18 THE COURT: Any other questions?

19 MR. COHEN: No, Your Honor.

20 THE COURT: Thank you, sir. I appreciate it.

21 THE BAILIFF: Number 7.

22 MR. STARR: He's already been released.

23 THE COURT: You can go back to the jury
24 deliberation room and give them your card.

25 JUROR NO. 7: Thanks.

1 THE COURT: Stricken for cause by agreement of the
2 parties.

3 THE BAILIFF: Number 8.

4 THE COURT: You are juror number 8, sir; is that
5 correct?

6 JUROR NO. 8: Yes, sir.

7 THE COURT: What was your response to that
8 question, please?

9 JUROR NO. 8: It was an affirmative. I have a
10 cousin named William McKenzie who was convicted of armed
11 robbery.

12 THE COURT: Do you know how long ago that was?

13 JUROR NO. 8: In 2003.

14 THE COURT: And was that in Prince George's County?

15 JUROR NO. 8: No, sir.

16 THE COURT: Where was it, to the best of your
17 knowledge?

18 JUROR NO. 8: Huntsville, Alabama.

19 THE COURT: Do you know what happened to him as a
20 result?

21 JUROR NO. 8: He's incarcerated.

22 THE COURT: Based on what you know, do you believe
23 that the manner was fairly and appropriately handled by the
24 prosecuting or investigating authorities?

25 JUROR NO. 8: No, sir.

1 THE COURT: You do not believe that it was handled
2 properly?

3 JUROR NO. 8: (Juror shakes head.)

4 THE COURT: Why is that?

5 JUROR NO. 8: Because, from the facts that I
6 gathered, he was caught at the crime scene. When they
7 investigated it, he said they had enough evidence to convict
8 him. That's what he told me, because I talked to him while
9 he was incarcerated. So that's as much as I know about it.

10 THE COURT: So would your knowledge of what
11 happened to your cousin in that instance and your thoughts
12 about it in any way impair your ability to serve as a juror
13 in this case and render a fair and impartial verdict based
14 only on the evidence?

15 JUROR NO. 8: Not to my knowledge, no, sir.

16 THE COURT: Okay. Thank you.

17 JUROR NO. 8: I have a quick question, if I can. I
18 took off work today. I didn't know how long this was going
19 to take, but I do attend graduate school, and I was planning
20 to attend at 4 p.m. this afternoon, but I didn't know I would
21 be here this long. I just wanted to make the Judge aware of
22 that. I don't know what the consequences of that are, but
23 that's not something that I knew about.

24 THE COURT: It's unlikely that you're going to be
25 able to get there. I apologize to you. Did you tell the

1 jury commissioner anything about this?

2 JUROR NO. 8: I just told them about work. I
3 didn't know it was going to take this long to go through.

4 THE COURT: Thank you, sir.

5 THE BAILIFF: Number 6.

6 THE COURT: Yes, ma'am. What was your response to
7 that question, please?

8 JUROR NO. 6: There was a telephone harassment.

9 THE COURT: For?

10 JUROR NO. 6: My daughter-in-law. She has harassed
11 me over the phone. There is a trial date pending.

12 THE COURT: Where is that pending?

13 JUROR NO. 6: Here.

14 THE COURT: In the district court?

15 JUROR NO. 6: Upper Marlboro, yes.

16 THE COURT: And that charge is pending in the
17 Court?

18 JUROR NO. 6: Yes, it is. I have a trial date. I
19 think February 28th, I think. I'm not sure, but there is a
20 pending trial for the end of February.

21 THE COURT: And would the fact that your daughter
22 has been -- you're daughter-in-law has been charged with
23 telephone harassment impair your ability to serve as a juror
24 in this case and render a fair and impartial verdict based
25 only on the evidence?

1 JUROR NO. 6: No, I don't think so.

2 THE COURT: Thank you, ma'am.

3 THE BAILIFF: Number 13.

4 THE COURT: Yes, ma'am, juror number 13?

5 JUROR NO. 13: Yes.

6 THE COURT: Yes, ma'am. What is your response to
7 that question, please?

8 JUROR NO. 13: Victim of identity theft. I don't
9 know if that counts.

10 THE COURT: It does. How long ago was that, ma'am?

11 JUROR NO. 13: A couple years.

12 THE COURT: Has anyone been apprehended for it?

13 JUROR NO. 13: (Juror shakes head.) I didn't
14 follow up with it. I called the police and just -- just for
15 a report, just to get like a case number or something.

16 THE COURT: How did it come to your attention about
17 the identity theft?

18 JUROR NO. 13: I got a bill in the mail.

19 THE COURT: Have the bills stopped?

20 JUROR NO. 13: Yes, after that. The agencies, the
21 three agencies, they actually put notices on them and they
22 did continue it and try, but with them noting that, they
23 didn't --

24 THE COURT: You've had no -- when did that take
25 place?

1 JUROR NO. 13: I want to say it was like three
2 years ago.

3 THE COURT: And nothing has taken place since?

4 JUROR NO. 13: Un-uh. Not that I'm aware of.

5 THE COURT: Based on what happened to you
6 approximately two or three years ago with the attempted
7 theft, could that in any way impair your ability to serve as
8 a juror in this case and render a fair and impartial verdict?

9 JUROR NO. 13: I don't think so. But I have other
10 stuff too. I think my dad -- I don't know when. At some
11 point I know he had a DUI and I don't know if -- he might
12 have gone to jail, but I don't know if it was for that or
13 not.

14 And then my cousin, I guess he was charged with
15 something, but I don't know.

16 THE COURT: In Prince George's County?

17 JUROR NO. 13: No. It was out of state.

18 THE COURT: Do you have any idea what it was he was
19 charged with?

20 JUROR NO. 13: My family is very private about it,
21 so I feel kind of funny.

22 THE COURT: They haven't told you?

23 JUROR NO. 13: They told me something, but I wasn't
24 supposed to know even that much.

25 THE COURT: Can you tell us whatever you know?

1 JUROR NO. 13: I guess it was drugs and, like,
2 drunk driving.

3 THE COURT: And that was out of state somewhere?
4 Do you know what happened as a result, out of state, with
5 that case?

6 JUROR NO. 13: They still are trying to work on it.

7 THE COURT: Based on the fact that your father may
8 have been charged with a crime and your cousin charged with,
9 apparently, a drug crime of some sort, could that in any way
10 impair your ability to serve as a juror and render a fair and
11 impartial verdict based only on the evidence?

12 JUROR NO. 13: No, I don't think so. My problem is
13 I have anxiety problems. So that is kind of -- I'm more
14 worried about that than the other stuff.

15 THE COURT: Are you taking any medication for it?

16 JUROR NO. 13: Not right now. At night, sometimes
17 when I can't sleep.

18 THE COURT: Have you been treated for anxiety
19 before?

20 JUROR NO. 13: Um-hmm.

21 THE COURT: What happens when you have an episode?

22 JUROR NO. 13: Well, when I'm on an airplane, I
23 break down a little bit.

24 THE COURT: What if you're in a room with other
25 people?

1 JUROR NO. 13: I think if I got picked, I think it
2 would be worse because I'd start thinking of things that
3 could happen.

4 THE COURT: Based on that, would that in any way
5 impair your ability to serve as a juror in this case and
6 render a fair and impartial verdict?

7 JUROR NO. 13: I'm afraid I guess it would. I like
8 to think it wouldn't. But I'm afraid of my own -- I'm not
9 trying to --

10 THE COURT: That's why we ask the questions. We'll
11 put that down and we'll see what we can do, okay?

12 JUROR NO. 13: Thank you. I can get a doctor's
13 note if you need it too.

14 THE BAILIFF: Number 14.

15 THE COURT: Yes, ma'am, juror number 14? Welcome
16 back.

17 JUROR NO. 14: Thank you. You want to know who?

18 THE COURT: Or what, yes, ma'am.

19 JUROR NO. 14: My first husband, the name that I
20 mentioned before, Washington, was in prison for a while for
21 drugs or something.

22 Now, my nephew, Calvin Cannon, is in prison now
23 for -- I think for possession of drugs, I believe. I don't
24 think he was selling. And that's about it.

25 THE COURT: Were those situations that took place

1 in Prince George's County; do you know?

2 JUROR NO. 14: Yes, for my first husband.

3 THE COURT: How about your nephew?

4 JUROR NO. 14: Montgomery County.

5 THE COURT: And how long ago were these things that
6 you're mentioning?

7 JUROR NO. 14: Well, my nephew is in prison now.
8 So, I mean, he's in and out. I think it's been like maybe
9 six or seven years.

10 And my first husband, he was in and out for like
11 maybe 15 years or so. But he's out now.

12 THE COURT: Alright, ma'am. Do you believe, based
13 on what you may know about those matters, that these matters
14 were fairly and appropriately handled by the prosecuting or
15 coordinating authorities?

16 JUROR NO. 14: I do not know because I was not
17 involved with any court proceedings. So I wouldn't know.

18 THE COURT: Based on what happened to your nephew
19 and your ex-husband, could that in any way impair your
20 ability to serve as a juror in this case and render --

21 JUROR NO. 14: I don't think so, no. It wasn't me.
22 No, it shouldn't.

23 THE COURT: Okay. Any other questions?

24 MR. COHEN: No, Your Honor.

25 THE COURT: Thank you, ma'am.

1 THE BAILIFF: Number 17.

2 THE COURT: Juror number 17?

3 JUROR NO. 17: Number 17. I've certainly been the
4 victim of a crime. As a police officer, I've been assaulted
5 during the course of duty, making arrests. I've certainly
6 been the witness to crimes.

7 THE COURT: Have you witnessed any violent crimes?

8 JUROR NO. 17: Just some domestic assaults that
9 occurred in my presence.

10 THE COURT: Would the fact of your employment, or
11 the fact that you have been assaulted during investigations
12 or arrests, would this crime in any way impair your ability
13 to serve as a juror in this case and render a fair and
14 impartial verdict based only on the evidence?

15 JUROR NO. 17: No, it would not.

16 THE COURT: Thank you.

17 THE BAILIFF: Number 19.

18 THE COURT: Juror number 19?

19 JUROR NO. 19: Yes.

20 THE COURT: What was your response, please?

21 JUROR NO. 19: I had -- does it have to be in
22 Maryland or the District?

23 THE COURT: No, ma'am; it could be anywhere.

24 JUROR NO. 19: I have a nephew but he did his time.
25 And I have a girlfriend's son, he's still in jail.

1 THE COURT: Do you remember what your nephew was
2 charged with or why --

3 JUROR NO. 19: Drugs.

4 THE COURT: And where was this?

5 JUROR NO. 19: D.C.

6 THE COURT: And how long ago?

7 JUROR NO. 19: Ten years, about seven or eight
8 years ago.

9 THE COURT: And the son of your girlfriend, you
10 say, is incarcerated now?

11 JUROR NO. 19: I think he just had his trial.

12 THE COURT: Do you know what for?

13 JUROR NO. 19: I think it was drugs too.

14 THE COURT: As far as you know or to the best that
15 you may know about these incidents, do you believe the
16 matters were fairly and appropriately handled by the
17 investigating, prosecuting or court authority?

18 JUROR NO. 19: I guess so.

19 THE COURT: Based on what happened to your nephew
20 and your girlfriend's son and your thoughts about it, could
21 that in any way impair your ability to serve as a juror in
22 this case and render a fair and impartial verdict based only
23 on the evidence?

24 JUROR NO. 19: No. May I ask a question?

25 THE COURT: Yes, ma'am.

1 JUROR NO. 19: If you have family members on the
2 police force, will that excuse you or what?

3 THE COURT: Do you have family members on the
4 Prince George's County police force?

5 JUROR NO. 19: No; D.C. and Seattle, Washington.

6 THE COURT: D.C. and Seattle. Are they close
7 relatives?

8 JUROR NO. 19: Sons.

9 THE COURT: How many sons?

10 JUROR NO. 19: Two.

11 THE COURT: Would the fact of your sons' occupation
12 as police officers in any way impair your ability to serve as
13 a juror in this case and render a fair and impartial verdict
14 based only on the evidence?

15 JUROR NO. 19: No.

16 THE COURT: Thank you, ma'am. Now, this question
17 is going to come up again, a separate question about law
18 enforcement. So if it's just your sons and police officers,
19 you won't have to come up again. If you have any other
20 relatives, etc., if there are other kinds of officers
21 involving any form of the criminal justice system, you'll
22 have to come back again.

23 THE BAILIFF: Number 21.

24 THE COURT: Juror number 21. Yes, ma'am, what was
25 your response to that question, please?

1 JUROR NO. 21: Can you say it again? What did you
2 say?

3 THE COURT: Yes, ma'am, whether you or any member
4 of your immediate family or close personal friend has ever
5 been the victim of a crime, a witness to a crime, arrested
6 for, charged with, or convicted of a crime, excluding routine
7 motor vehicle violations.

8 JUROR NO. 21: No.

9 THE COURT: Thank you. Appreciate it.

10 THE BAILIFF: Number 22.

11 THE COURT: Juror number 22. Yes, ma'am, what was
12 your response, please?

13 JUROR NO. 22: Burglary.

14 THE COURT: Victim of a burglary?

15 JUROR NO. 22: Yes.

16 THE COURT: How long ago?

17 JUROR NO. 22: Probably seven years.

18 THE COURT: In Prince George's County?

19 JUROR NO. 22: No.

20 THE COURT: Whereabouts, ma'am?

21 JUROR NO. 22: Vadalia, Georgia.

22 THE COURT: Georgia is the peach state, right?

23 JUROR NO. 22: Yes, it is. Vadalia is the onion
24 capital.

25 THE COURT: That's right. Was anyone ever

1 apprehended for it?

2 JUROR NO. 22: Yes.

3 THE COURT: Did you get any of the belongings back
4 that were taken?

5 JUROR NO. 22: No.

6 THE COURT: Do you know what happened to the person
7 as a result of his apprehension?

8 JUROR NO. 22: The only thing that I know, she did
9 have to serve time and she had to pay restitution.

10 THE COURT: Based on what happened to you and your
11 thoughts about what happened to you in that burglary, could
12 that in any way impair your ability to serve as a juror in
13 this case and render a fair and impartial verdict based only
14 on the evidence?

15 JUROR NO. 22: No.

16 THE COURT: Thank you, ma'am.

17 THE BAILIFF: Number 23.

18 THE COURT: Juror number 23?

19 JUROR NO. 23: Correct.

20 THE COURT: Yes, sir, what was your response to
21 that question, please?

22 JUROR NO. 23: Yes. Approximately three years ago
23 my wife was the victim of an assault incident. My neighbor,
24 when he drove his automobile up into our driveway and struck
25 her knee. Charges were filed but, when the case came to

1 court, it was discovered that the state's attorney's office
2 hadn't obtained my wife's complete medical records. So the
3 judge concluded that an unreasonable amount of time had
4 expired between the incident and the time -- the officer had
5 time to get the records. So she dismissed the case.

6 But the state's attorney's office refiled and, when
7 the case came up the second time, the judge found that, based
8 on the appropriate court case law, that he couldn't be
9 retried. So he -- the state's attorney's office went to the
10 nol-pros.

11 So the neighbor filed a malice suit against my
12 wife, but the judge in that case found that there was no
13 evidence of malice because my wife followed the procedures
14 laid out by the state's attorney's office. The neighbor
15 appealed it and lost.

16 THE COURT: That occurred in Prince George's
17 County?

18 JUROR NO. 23: Yes. Everything, the trial took
19 place in this building.

20 THE COURT: Was it in the district court or the
21 circuit court? This is the circuit court. Was it in floors
22 lower in the building?

23 JUROR NO. 23: Yes.

24 THE COURT: How long ago was that?

25 JUROR NO. 23: About three years ago.

1 THE COURT: Would your knowledge of what happened
2 to your wife in that circumstance and the outcome of that
3 particular case, could that in any way impair your ability to
4 serve as a juror in this case and render a fair and impartial
5 verdict based only on the evidence?

6 JUROR NO. 23: It would not.

7 THE COURT: Thank you, sir. Appreciate it.

8 THE BAILIFF: Number 30.

9 THE COURT: Yes, sir, juror number 30?

10 JUROR NO. 30: Yes.

11 THE COURT: What was your response to that
12 question, please?

13 JUROR NO. 30: I got convicted of having sex with a
14 minor.

15 THE COURT: Do you recall the exact name of the
16 charge?

17 JUROR NO. 30: It was child something. I don't
18 remember the exact name.

19 THE COURT: Was it child abuse?

20 JUROR NO. 30: No. I had to register --

21 THE COURT: Did that occur in Prince George's
22 County?

23 JUROR NO. 30: It occurred in D.C., but it got
24 switched over to Maryland.

25 THE COURT: Okay. How long ago was this?

1 JUROR NO. 30: 2000.

2 THE COURT: And what happened to you as a result?

3 JUROR NO. 30: Right now I have to register every
4 six months.

5 THE COURT: And was there incarceration or just
6 probation?

7 JUROR NO. 30: I had probation, and they locked me
8 up for like -- over the weekend.

9 THE COURT: And the probation was transferred to
10 Prince George's County?

11 JUROR NO. 30: Yes.

12 THE COURT: And you're still on probation now?

13 JUROR NO. 30: No, I'm not on probation. I just
14 have to register as a sex offender.

15 THE COURT: So probation expired in the District of
16 Columbia before you --

17 JUROR NO. 30: No, I had probation in Maryland. I
18 had probation in Maryland. They switched everything over.
19 Once they switched everything over, I did probation in
20 Maryland.

21 THE COURT: When did that expire, if you remember?

22 JUROR NO. 30: I don't remember, exactly.

23 THE COURT: And you don't exactly remember the name
24 of the offense?

25 JUROR NO. 30: No.

1 THE COURT: Did they tell you what the penalty was
2 in the beginning?

3 JUROR NO. 30: Yes, but I forgot.

4 THE COURT: Based on what happened to you in that
5 case, could that impair your ability to sit as a juror in
6 this case and render a fair and impartial verdict based only
7 on the evidence?

8 JUROR NO. 30: Yes.

9 THE COURT: Pardon me?

10 JUROR NO. 30: Yes.

11 THE COURT: Thank you. I appreciate it.

12 THE BAILIFF: Number 31.

13 THE COURT: Juror number 31?

14 JUROR NO. 31: Um-hmm.

15 THE COURT: Yes, ma'am, what was your response to
16 that question, please?

17 JUROR NO. 31: Well, my brother, he's locked up
18 now.

19 THE COURT: Do you know what for, ma'am?

20 JUROR NO. 31: Drugs and, I think, attempted
21 robbery or something to that nature.

22 THE COURT: Do you know when that happened?

23 JUROR NO. 31: I think it was last year sometime.

24 THE COURT: Was that in Prince George's County?

25 JUROR NO. 31: Yes. It was in P. G., yes. I think

1 it was just here.

2 THE COURT: It just finished?

3 JUROR NO. 31: I think so.

4 THE COURT: And he was convicted and sentenced?

5 JUROR NO. 31: Yes. And then I have a nephew
6 that's locked up in Virginia for murder, when he was driving
7 a car, joyriding, and the kids that were in the car with him
8 flipped over and he killed everybody but his self. So he
9 pretty much got life.

10 THE COURT: How long ago was that?

11 JUROR NO. 31: That's probably like five years ago.

12 THE COURT: Based on what you know, do you believe
13 that these matters were fairly and appropriately handled by
14 the investigating, prosecuting or court authorities?

15 JUROR NO. 31: I don't know.

16 THE COURT: Would what happened to your brother and
17 the incidents that you described to us and your nephew in
18 Virginia, would those matters in any way impair your ability
19 to serve as a juror in this case and render a fair and
20 impartial verdict based only on the evidence? Particularly
21 in light of one of the charges here seems to be similar to
22 the one that your brother was convicted of in Virginia.

23 JUROR NO. 31: Yeah, that pretty much -- I don't
24 think that I'll be -- I don't know. Because he was a young
25 person, and I think it was unfair that they gave him life.

1 THE COURT: But I need to ask you the question, so
2 I need you to think about it. Would what happened to your
3 brother or your nephew, could it in any way impair your
4 ability to sit as a juror in this case and render a fair and
5 impartial verdict based only on the evidence?

6 JUROR NO. 31: I think it would.

7 THE COURT: Alright, ma'am. Thank you.

8 THE BAILIFF: Number 32.

9 THE COURT: Juror number 32?

10 JUROR NO. 32: Yes.

11 THE COURT: What was your response, please?

12 JUROR NO. 32: It was yes. How long a period of
13 time are we talking about? Because it's been like 28 years
14 ago.

15 THE COURT: That's okay.

16 JUROR NO. 32: It was a neighbor, a friend of mine.
17 He pleaded guilty to two counts of first degree murder and
18 was incarcerated for it. We were good friends. I was
19 supposed to be a witness for the prosecution, but he pleaded
20 guilty and I didn't have to go.

21 THE COURT: That was in Prince George's County?

22 JUROR NO. 32: Yes.

23 THE COURT: Twenty-eight years ago?

24 JUROR NO. 32: Twenty-eight years ago.

25 THE COURT: Is he still incarcerated?

1 JUROR NO. 32: Yes, he is.

2 THE COURT: Based on your knowledge of the setting,
3 do you believe the matter was fairly and appropriately
4 handled by the investigating, prosecuting --

5 JUROR NO. 32: Yes, it was.

6 THE COURT: Based on what happened to your
7 neighbor, could that in any way impair your ability to serve
8 as a juror in this case and render a fair and impartial
9 verdict?

10 JUROR NO. 32: No, it wouldn't.

11 THE COURT: Thank you very much.

12 THE BAILIFF: Number 33.

13 THE COURT: Yes, sir, you're juror number 33?

14 JUROR NO. 33: Yes.

15 THE COURT: What was your response to that
16 question, please?

17 JUROR NO. 33: I have a nephew that's currently
18 incarcerated for aggravated assault, armed robbery and
19 attempted murder.

20 THE COURT: Where did that happen; do you know,
21 sir?

22 JUROR NO. 33: I'm thinking Clinton, Maryland.

23 THE COURT: So in Prince George's County?

24 JUROR NO. 33: Yes, P. G. County.

25 THE COURT: He's been charged with it, or he's been

1 found guilty of it?

2 JUROR NO. 33: He's been found guilty of all
3 charges.

4 THE COURT: How long ago was that, to the best of
5 your knowledge?

6 JUROR NO. 33: Approximately three years ago.

7 THE COURT: And he's incarcerated currently?

8 JUROR NO. 33: Yes, in Columbia, Maryland.

9 THE COURT: In Hagerstown?

10 JUROR NO. 33: I think it's Hagerstown.

11 THE COURT: Based on what you know about that
12 particular case, do you believe the matter was fairly and
13 appropriately handled by the prosecuting, investigating or
14 court authorities?

15 JUROR NO. 33: Yes.

16 THE COURT: Based on what happened to your nephew,
17 do you believe that could in any way impair your ability to
18 serve as a juror in this case and render a fair and impartial
19 verdict based only on the evidence?

20 JUROR NO. 33: It shouldn't, no.

21 THE COURT: Thank you, sir. I appreciate it.

22 THE BAILIFF: Number 36.

23 THE COURT: Yes, ma'am, you're juror number 36; is
24 that correct?

25 JUROR NO. 36: Yes.

1 THE COURT: What was your response to that
2 question?

3 JUROR NO. 36: Yes.

4 THE COURT: In what part, ma'am?

5 JUROR NO. 36: My brother. He got locked up for
6 attempted armed robbery.

7 THE COURT: And do you know how long ago that was?

8 JUROR NO. 36: If I'm not mistaken, it was April of
9 '07.

10 THE COURT: Was that in Prince George's County?

11 JUROR NO. 36: Yes.

12 THE COURT: And has he been to trial or has he been
13 convicted; do you know?

14 JUROR NO. 36: No, he has not been convicted.

15 THE COURT: Is it pending trial?

16 JUROR NO. 36: Yes.

17 THE COURT: Based on what you know, do you believe
18 the matter was handled fairly and appropriately by the
19 investigating, prosecuting or court authorities?

20 JUROR NO. 36: No.

21 THE COURT: Why do you feel that way?

22 JUROR NO. 36: Because from the course of my
23 brother's, he wasn't at all involved but --

24 THE COURT: And based on the fact that your brother
25 has been arrested for that charge, do you believe that that

1 could in any way impair your ability to serve as a juror in
2 this case and render a fair and impartial verdict based only
3 on the evidence?

4 JUROR NO. 36: Possibly.

5 THE COURT: Did you say possibly?

6 JUROR NO. 36: Yes.

7 THE COURT: Thank you. Appreciate it.

8 THE BAILIFF: Number 37.

9 THE COURT: You are juror number 37?

10 JUROR NO. 37: Yes.

11 THE COURT: And, ma'am, what was your response to
12 that question, please?

13 JUROR NO. 37: I have a cousin that was convicted
14 for murder.

15 THE COURT: Was found guilty of murder, you said?

16 JUROR NO. 37: Yes.

17 THE COURT: Do you remember how long ago that was?

18 JUROR NO. 37: Two, three years ago.

19 THE COURT: Was that in Prince George's County?

20 JUROR NO. 37: No; in Richmond, Virginia.

21 THE COURT: And he's currently incarcerated?

22 JUROR NO. 37: Yes.

23 THE COURT: Based upon your knowledge of what took
24 place, do you believe that the matter was fairly and
25 appropriately handled by the investigating, prosecuting or

1 court authorities?

2 JUROR NO. 37: I don't know anything about it. I
3 was just told by a family member.

4 THE COURT: Based on your knowledge of what
5 happened to your cousin, could that in any way impair your
6 ability to serve as a juror in this case and render a fair
7 and impartial verdict in light of the impact that one of the
8 charges in this case is similar, that being murder?

9 JUROR NO. 37: No.

10 THE COURT: Thank you, ma'am. I appreciate it.

11 THE BAILIFF: Number 41.

12 THE COURT: Yes, sir, good to see you again. Juror
13 number 41, what was your response to that question, please?

14 JUROR NO. 41: Yeah, I had a close friend get
15 killed last year, February.

16 THE COURT: In Prince George's County?

17 JUROR NO. 41: Yes.

18 THE COURT: Do you know from what?

19 JUROR NO. 41: From a gunshot.

20 THE COURT: Has anyone, to the best of your
21 knowledge, been apprehended for what took place?

22 JUROR NO. 41: No.

23 THE COURT: No one has been apprehended?

24 JUROR NO. 41: No.

25 THE COURT: Do you know whether it is still under

1 investigation?

2 JUROR NO. 41: Yes, it is.

3 THE COURT: How close were you to that person?

4 JUROR NO. 41: We see each other maybe five times a
5 week.

6 THE COURT: So based on what happened to your
7 friend in that matter, could that in any way impair your
8 ability to serve as a juror in this case and render a fair
9 and impartial verdict based only on the evidence, in light of
10 the charge here being murder?

11 JUROR NO. 41: No.

12 THE COURT: Thank you very much.

13 THE BAILIFF: Number 43.

14 THE COURT: You are juror number 43; is that
15 correct?

16 JUROR NO. 43: Yes.

17 THE COURT: What was your response, sir?

18 JUROR NO. 43: You say has anybody been convicted
19 in your family?

20 THE COURT: Either a victim of a crime, witness to
21 a crime, arrested for, charged with, or convicted of a crime,
22 except for minor motor vehicle violations.

23 JUROR NO. 43: My uncle.

24 THE COURT: And what happened to your uncle, sir?

25 JUROR NO. 43: I think he's locked up for drugs or

1 something.

2 THE COURT: In Prince George's County?

3 JUROR NO. 43: No; in Ohio state.

4 THE COURT: How long ago; do you recall?

5 JUROR NO. 43: He's been locked up ever since he
6 was like a teenager. And then I have a friend that died.

7 THE COURT: How did he die?

8 JUROR NO. 43: He got shot.

9 THE COURT: In Prince George's County?

10 JUROR NO. 43: Um-hmm.

11 THE COURT: How long ago was that?

12 JUROR NO. 43: Last year, on the 11th of February.

13 THE COURT: Do you know the circumstances of how it
14 happened?

15 JUROR NO. 43: No. A car. He was in a car at a
16 stoplight. Then they shot -- boys rolled past in a car and
17 shot the car.

18 THE COURT: Do you know whether anyone has been
19 apprehended?

20 JUROR NO. 43: No.

21 THE COURT: Based on what happened to your uncle or
22 what happened to your friend in the incident in February,
23 could those matters in any way impair your ability to serve
24 as a juror in this case and render a fair and impartial
25 verdict, in light of the charge in this case being murder?

1 JUROR NO. 43: Yes.

2 THE COURT: And you're saying that it would impair
3 your ability to serve fairly on this case?

4 JUROR NO. 43: Yes.

5 THE COURT: Thank you.

6 THE BAILIFF: Number 51.

7 THE COURT: Yes, ma'am, you are juror number 51?

8 JUROR NO. 51: Um-hmm.

9 THE COURT: And what was your response to that
10 question, please?

11 JUROR NO. 51: It was a close friend of mine. It's
12 my sister's boyfriend that lives with us. When he was about
13 19-years old, he got in a car with a couple of his buddies,
14 and none of them had licenses, and one of them was driving
15 and they ended up crashing into a house. The crash went
16 through the old woman's living room and it killed her
17 instantly, and he got 12 years in prison, but he got out,
18 after six, for good behavior.

19 THE COURT: Based on what you know, do you believe
20 that matter was fairly and appropriately handled by the
21 investigation, prosecuting or court authorities?

22 JUROR NO. 51: Um-hmm.

23 THE COURT: Based on what happened to your friend,
24 do you believe that could in any way impair your ability to
25 serve as a juror in this case and render a fair and impartial

1 verdict based only on the evidence?

2 JUROR NO. 51: No.

3 THE COURT: Thank you, ma'am.

4 THE BAILIFF: Number 52.

5 THE COURT: Juror number 52.

6 JUROR NO. 52: Yes.

7 THE COURT: What was your response to that
8 question?

9 JUROR NO. 52: My response to it is my sister, 28
10 years ago, was convicted of stealing money from her employer
11 at the time, and she did serve time here, ten days in the
12 women's prison.

13 THE COURT: And that's in Maryland?

14 JUROR NO. 52: In Maryland, in Prince George's
15 County.

16 THE COURT: And based on what you know about that
17 circumstance, do you believe the matter was fairly and
18 appropriately handled by the investigating, prosecuting or
19 court authorities?

20 JUROR NO. 52: I do not think it was
21 inappropriately handled.

22 THE COURT: Based on what happened to your sister,
23 could that in any way impair your ability to serve as a juror
24 in this case and render a fair and impartial verdict?

25 JUROR NO. 52: Not at all.

1 THE COURT: Thank you, ma'am.

2 THE BAILIFF: Number 53.

3 THE COURT: Good morning, ma'am. You're juror
4 number 53?

5 JUROR NO. 53: Yes. I have a friend who was
6 killed.

7 THE COURT: How was your friend killed?

8 JUROR NO. 53: She owned a barbershop and someone
9 shot her.

10 THE COURT: Was that in Prince George's County?

11 JUROR NO. 53: No.

12 THE COURT: Where was it, ma'am?

13 JUROR NO. 53: It was in Texas.

14 THE COURT: How long ago?

15 JUROR NO. 53: About three years.

16 THE COURT: Was anyone ever apprehended for what
17 took place?

18 JUROR NO. 53: No.

19 THE COURT: No one has ever been located or found?

20 JUROR NO. 53: No.

21 THE COURT: Based on what happened to your friend
22 three years ago in Texas, could that in any way impair your
23 ability to serve as a juror in this case and render a fair
24 and impartial verdict, particularly in light of the charge
25 here, the allegations here being murder as well?

1 JUROR NO. 53: No.

2 THE COURT: Thank you, ma'am.

3 THE BAILIFF: Number 56.

4 THE COURT: Yes, ma'am, you are juror number 56?

5 JUROR NO. 56: Yes, sir.

6 THE COURT: What was your response to that
7 question, please?

8 JUROR NO. 56: Yes.

9 THE COURT: In what part?

10 JUROR NO. 56: That I know someone that had been
11 convicted of a crime, a family member.

12 THE COURT: I'm sorry. We have to ask you a little
13 bit more questions. It's required of all of us. Who was the
14 family member?

15 JUROR NO. 56: Brother.

16 THE COURT: And do you know what the crime was,
17 ma'am?

18 JUROR NO. 56: A felony, I believe. Or changed now
19 to a misdemeanor.

20 THE COURT: Do you remember the kind of charge that
21 it was?

22 JUROR NO. 56: The kind of charge?

23 THE COURT: Meaning, was it a theft or a drug
24 charge or something along that line?

25 JUROR NO. 56: It was a beating charge. The guy

1 died.

2 THE COURT: The person died?

3 JUROR NO. 56: (Juror nods head.)

4 THE COURT: How long ago was that?

5 JUROR NO. 56: I think it was in, like, '99.

6 THE COURT: Did that occur in Prince George's
7 County?

8 JUROR NO. 56: Yes.

9 THE COURT: What happened to your brother as a
10 result?

11 JUROR NO. 56: He went to jail.

12 THE COURT: Has he now been released?

13 JUROR NO. 56: Yes.

14 THE COURT: Based on what you know, do you believe
15 that the matter was fairly or appropriately handled by the
16 investigating, prosecuting or court authorities?

17 JUROR NO. 56: Based on what I know, yes.

18 THE COURT: And based on what happened to your
19 brother and your thoughts about it, could that in any way
20 impair your ability to serve as a juror in this case and
21 render a fair and impartial verdict based only on the
22 evidence?

23 JUROR NO. 56: Most definitely.

24 THE COURT: I'm not sure if I -- let me ask that
25 question again. My question to you was based on what

1 happened to your brother, could that in any way impair your
2 ability to serve as a juror in this case and render a fair
3 and impartial verdict?

4 JUROR NO. 56: Yes.

5 THE COURT: Thank you, ma'am. I appreciate it.

6 THE BAILIFF: Number 57.

7 THE COURT: Yes, you're juror number 57?

8 JUROR NO. 57: Um-hmm.

9 THE COURT: What was your response to that
10 question, please?

11 JUROR NO. 57: I've had some family members accused
12 of crimes, accused other people of crimes.

13 THE COURT: What crimes were your family members
14 charged with, if you remember?

15 JUROR NO. 57: My brother was accused of assault.
16 That was part of a messy divorce. And his ex-wife, she
17 prosecuted a guy for harassment, and her boyfriend was
18 prosecuted by my brother for telephone misuse.

19 THE COURT: Did all of those things occur in Prince
20 George's County?

21 JUROR NO. 57: No; that was done in North Carolina.

22 THE COURT: What happened in these situations?

23 JUROR NO. 57: They got her for telephone misuse.
24 She just was found guilty.

25 The guy prosecuted for harassment was found guilty.

1 And my brother, his case was thrown out because
2 there was stuff going on on both sides, so the judge just
3 threw everything out.

4 THE COURT: Based on your knowledge of these
5 incidents, could they in any way impair your ability to serve
6 as a juror in this case and render a fair and impartial
7 verdict based only on the evidence?

8 JUROR NO. 57: I don't think so.

9 THE COURT: Thank you, sir.

10 JUROR NO. 57: Actually, I had a question. On the
11 list of names that you had of the civilians, I think one of
12 them may have been at the jail that I work out. I never met
13 her.

14 THE COURT: One of them may have been what?

15 JUROR NO. 57: Been at the jail that I work at. I
16 work in Calvert County. It was Clarisse Witherspoon. I
17 never met her, but I'm the classifications assistant and --

18 THE COURT: Let me just --

19 MR. MOOMAU: Do you know the approximate age of
20 that person?

21 JUROR NO. 57: No. Like I said, I never met her.
22 I had her as a person I was supposed to classify, but she
23 didn't stay long enough for that to happen. And, again, I
24 wouldn't swear that it was same person, because there are so
25 many people with the same name. I can't even be sure if that

1 was the correct name or not.

2 THE COURT: Is she an official here in corrections?

3 MR. MOOMAU: No, she works at Marlo Furniture
4 warehouse.

5 THE COURT: How long ago was that when you may have
6 known her or known a Clarisse Witherspoon?

7 JUROR NO. 57: I think a few months ago. I'd have
8 to look it up in the system to find out. Like I said, I
9 mean, it might not be the same person.

10 THE COURT: Well, let's assume, just for this
11 question, that this may be the witness that you know. Could
12 the fact that a person that you know, who may testify in this
13 case, could that in any way impair your ability to serve as a
14 juror in this case and render a fair and impartial verdict?

15 JUROR NO. 57: I don't think so. Like I said, I
16 never met her. That's just a name.

17 THE COURT: Thank you, sir. I appreciate it.

18 MR. COHEN: Could you repeat that name for the
19 record.

20 THE COURT: Clarisse Witherspoon.

21 THE BAILIFF: Number 59.

22 THE COURT: Thank you, ma'am. What was your
23 response to that question, please?

24 JUROR NO. 59: Somebody I've known for 27 years was
25 convicted.

1 THE COURT: And is that person a close friend?

2 JUROR NO. 59: Yes. For two years now my
3 boyfriend.

4 THE COURT: And do you know what that person was
5 convicted of?

6 JUROR NO. 59: Drugs.

7 THE COURT: How long ago was that; do you remember?

8 JUROR NO. 59: Twelve years.

9 THE COURT: Was that in this area of Prince
10 George's County?

11 JUROR NO. 59: In D.C.

12 THE COURT: Do you know what happened as a result;
13 what happened to him as a result?

14 JUROR NO. 59: He's incarcerated now.

15 THE COURT: Based on what you know about that
16 matter, do you believe the matter was fairly and
17 appropriately handled by the investigating, prosecuting or
18 court authorities?

19 JUROR NO. 59: Now, that I don't know because we
20 weren't together then, so I don't know.

21 THE COURT: Based on what happened to him as a
22 result of that case, could that in any way impair your
23 ability to serve as a juror in this case and render a fair
24 and impartial verdict?

25 JUROR NO. 59: No.

1 THE COURT: Thank you, ma'am.

2 THE BAILIFF: Number 61.

3 THE COURT: Yes, sir, you're juror number 61?

4 JUROR NO. 61: Yes.

5 THE COURT: What was your response to that
6 question, please?

7 JUROR NO. 61: I believe you said something about
8 being related to somebody who had a crime committed to them.

9 THE COURT: Yes, any member of your family, you or
10 a close, personal friend was ever a victim of a crime, a
11 witness to a crime, arrested for, charged with, or convicted
12 of a crime.

13 JUROR NO. 61: I'm pretty sure two years ago my dad
14 was carjacked at gunpoint in Suitland, Maryland.

15 THE COURT: Was he injured?

16 JUROR NO. 61: Pardon?

17 THE COURT: Was he injured?

18 JUROR NO. 61: No, he was not.

19 THE COURT: Was anyone apprehended for that
20 offense?

21 JUROR NO. 61: Not that I'm aware of.

22 THE COURT: Would what happened to your father,
23 would what you know happened to your father in that
24 incident --

25 JUROR NO. 61: He was really, really like

1 distraught and shaken up about it. He became really, I
2 guess, just really emotional about it and really, like -- it
3 sounded like he didn't really want to talk about.

4 THE COURT: Could what happened to your father and
5 your knowledge about that in any way impair your ability to
6 serve as a juror in this case and render a fair and impartial
7 verdict based only on the evidence?

8 JUROR NO. 61: I would think so, yes.

9 THE COURT: Thank you, sir. Appreciate it.

10 THE BAILIFF: Number 69.

11 THE COURT: You are juror number 69?

12 JUROR NO. 69: Yes.

13 THE COURT: What was your response to that
14 question, please?

15 JUROR NO. 69: My mother's brother, crime.

16 THE COURT: And do you recall what he may have been
17 convicted of?

18 JUROR NO. 69: Drugs.

19 THE COURT: Do you remember how long ago that may
20 have been?

21 JUROR NO. 69: Probably -- say probably about six
22 years, six, seven years.

23 THE COURT: Was that in Prince George's County?

24 JUROR NO. 69: (Juror nods head.) It was here in
25 Upper Marlboro.

1 THE COURT: Do you know what happened to him as a
2 result?

3 JUROR NO. 69: He went to jail.

4 THE COURT: Based on what you know about it, do you
5 believe that the matter was fairly and appropriately handled
6 by the investigating, prosecuting or court authorities?

7 JUROR NO. 69: I don't know if I could be fair
8 because, you know, it's my uncle, but I don't recall
9 anything, really, from the trial.

10 THE COURT: Based on what happened to your mother's
11 brother and your knowledge about it, could that in any way
12 impair your ability to serve as a juror in this case and
13 render a fair and impartial verdict?

14 JUROR NO. 69: I'm not sure.

15 THE COURT: Well, obviously, you know how important
16 this matter is to the defendant, Mr. Washington, who is
17 charged, and how important it may be for the State of
18 Maryland, and what we're trying to do is to get 12 people
19 together who would not be influenced by anything that they
20 know or by any personal experiences that they may have.

21 So in thinking of it that way, I have to ask you
22 that question again. Would what happened to your mother's
23 brother in that situation, could it in any way impair your
24 ability to serve as a juror in this case and render a fair
25 and impartial verdict?

1 JUROR NO. 69: (Juror nods head.)

2 THE COURT: I see you're nodding your head up and
3 down, but I don't see an answer coming out.

4 JUROR NO. 69: I don't know how to answer it.

5 THE COURT: Do you believe that what happened to
6 your mother's brother could influence you in any way in this
7 case?

8 JUROR NO. 69: It could, knowing the facts, yeah.

9 THE COURT: Alright, ma'am. Thank you. I
10 appreciate it.

11 THE BAILIFF: Number 70.

12 MR. COHEN: I missed that last statement.

13 THE COURT: I said could what happened to her
14 mother's brother in any way influence her in this case, and
15 she said yes, it could.

16 You are juror number 70?

17 JUROR NO. 70: Yes, sir.

18 THE COURT: What was your response to that
19 question?

20 JUROR NO. 70: Yes.

21 THE COURT: In what part, sir?

22 JUROR NO. 70: My brother.

23 THE COURT: What happened to your brother?

24 JUROR NO. 70: About three years ago he had an
25 issue with his truck that he purchased. He took it back to

1 the dealer. I guess things didn't go right. He got into an
2 altercation and called the cops and the police came. He was
3 arrested for assaulting a police officer.

4 He had to come to court. He acted up in court.
5 The judge gave him 21 days up in Upper Marlboro.

6 After 21 days he was brought back to court. They
7 said time was served, but they gave him community service
8 time, and he had to go to an anger management course.

9 THE COURT: Based on your knowledge of what
10 happened to him, do you believe that matter was fairly and
11 appropriately handled by the investigating, prosecuting and
12 court authorities?

13 JUROR NO. 70: It was his fault. He could have
14 taken measures a different way.

15 THE COURT: Based on what happened to your brother,
16 do you believe that that could in any way impair your ability
17 to serve as a juror in this case and render a fair and
18 impartial verdict?

19 JUROR NO. 70: No. As long as it doesn't imperil
20 my vacation. If it was starting Monday, I don't have a
21 problem. I'd be back.

22 THE COURT: Let me ask you this question. Where
23 are you going?

24 JUROR NO. 70: Going to southeast and then on a
25 three-day cruise.

1 THE COURT: Is this prepaid, sir?

2 JUROR NO. 70: I already paid. It was paid months
3 ago.

4 THE COURT: Did you tell that to the jury
5 commissioner?

6 THE COURT: Well, I didn't know that -- that other
7 form, I didn't know that you had to fill out. I didn't pay
8 attention. All I saw was the date February 11th. My thought
9 process was it was going to be a one-day trial.

10 MR. WRIGHT: The State has no problem.

11 MR. COHEN: No opposition, Your Honor.

12 MR. MOOMAU: I'll move, Your Honor.

13 THE COURT: Mr. Cole, thank the defense and the
14 State because, apparently, they're saying that they have no
15 objection to your going on vacation; is that correct?

16 JUROR NO. 70: My wife would have killed me.

17 MR. COHEN: And it's his anniversary.

18 THE COURT: So take that card, run out of here --
19 just kidding -- and turn it into the jury commissioner's
20 office and tell them that you've been excused, sir. Have a
21 good time on your anniversary.

22 JUROR NO. 70: Thank you.

23 THE COURT: That juror is stricken for cause by
24 agreement of the parties. That's number 70.

25 THE BAILIFF: Number 79.

1 THE COURT: Juror number 79?

2 JUROR NO. 79: I am.

3 THE COURT: What was your response to that
4 question?

5 JUROR NO. 79: It was yes. I have had some crime
6 in my family.

7 THE COURT: Could you tell me a little bit about
8 it, please?

9 JUROR NO. 79: Sure. Around '93 or '94 I had my
10 house broken into while I was out of town. Nothing of
11 significance was stolen.

12 THE COURT: Nothing was taken?

13 JUROR NO. 79: I couldn't find anything. They
14 broke the door jam getting in.

15 THE COURT: Was anybody ever apprehended for it?

16 JUROR NO. 79: No.

17 THE COURT: Did this occur in Prince George's
18 County?

19 JUROR NO. 79: No, this was out in Ohio. The
20 second one was also in Ohio. It was '99, I think. Another
21 house break-in. It was reported. Nobody was apprehended, to
22 my knowledge. They stole my bank card, which I cancelled 20
23 minutes later; tried to steal my car but didn't get it.

24 And in the early '80's, sometime back, in New York
25 State, my sister was assaulted. I believe she was raped.

1 I'm not certain.

2 THE COURT: Do you know, was anyone ever
3 apprehended for that?

4 JUROR NO. 79: I'm not even sure if she reported
5 it. There was never any legal action in terms of --

6 THE COURT: That was in the '80's in New York?

7 JUROR NO. 79: Early '80's, yeah.

8 THE COURT: Did she sustain or suffer any injuries?

9 JUROR NO. 79: Beyond the trauma, no.

10 THE COURT: Based on those settings that you've
11 described for us, all three of them, could any one of them or
12 all of them in any way impair your ability to serve as a
13 juror in this case and render a fair and impartial verdict
14 based only on the evidence?

15 JUROR NO. 79: I don't believe that there would be
16 any impairment.

17 THE COURT: Thank you, ma'am. I appreciate it.

18 THE BAILIFF: Number 88.

19 THE COURT: Juror number 88?

20 JUROR NO. 88: Um-hmm.

21 THE COURT: What was your answer to that question,
22 please?

23 JUROR NO. 88: I have two brothers that's been
24 convicted of a crime.

25 THE COURT: Do you know what crimes they were?

1 JUROR NO. 88: One was selling drugs, and the other
2 one was domestic violence.

3 THE COURT: How long ago was that; do you know?

4 JUROR NO. 88: One brother just got three years
5 last year, and the other one is getting ready to get out.

6 THE COURT: Were those matters in Prince George's
7 County?

8 JUROR NO. 88: Florida.

9 THE COURT: Based on your knowledge of those
10 incidents, do you believe that the matters were fairly and
11 appropriately handled by the investigating, prosecuting or
12 court authorities?

13 JUROR NO. 88: Yes.

14 THE COURT: Based on what happened to your two
15 brothers in those incidents, could that in any way impair
16 your ability to serve as a juror in this case and render a
17 fair and impartial verdict?

18 JUROR NO. 88: No.

19 THE COURT: Thank you, ma'am. I appreciate it.

20 THE BAILIFF: Number 91.

21 THE COURT: Yes, ma'am, you're juror number 91?

22 JUROR NO. 91: Yes.

23 THE COURT: What was your response to that
24 question, please?

25 JUROR NO. 91: That my brother had been convicted

1 of driving while intoxicated and he spent six months in jail.

2 THE COURT: Was that in Prince George's County?

3 JUROR NO. 91: No, that was in Pennsylvania.

4 THE COURT: How long ago was that, ma'am?

5 JUROR NO. 91: Probably five years.

6 THE COURT: Based on what you know about that
7 incident, do you believe that the matter was fairly and
8 appropriately handled by the investigating, prosecuting or
9 court authorities?

10 JUROR NO. 91: It seemed like they left him hanging
11 for a long time before they decided. It was almost like they
12 went to the last day they could possibly decide --

13 THE COURT: You mean a court appearance?

14 JUROR NO. 91: Well, no. After he appeared, they
15 told him that they would make up their mind if he had to be
16 incarcerated and that he may be called back in. I don't know
17 exactly all the details, but I just know that they left
18 him -- he didn't know if he was going to have to go, and then
19 they finally said --

20 THE COURT: Based on what happened to your brother
21 in that case, would that in any way impair your ability to
22 serve as a juror in this case and render a fair and impartial
23 verdict based only on the evidence?

24 JUROR NO. 91: Probably not.

25 THE COURT: You say probably not. What do you mean

1 by that?

2 JUROR NO. 91: I mean that I could probably be -- I
3 think that I could be impartial. It won't bias me.

4 THE COURT: Okay. Thank you, ma'am.

5 THE BAILIFF: Number 93.

6 THE COURT: You are juror number 93, you said?

7 JUROR NO. 93: Yes, sir.

8 THE COURT: What was your response to that
9 question, please?

10 JUROR NO. 93: I have an inlaw that did time in
11 prison.

12 THE COURT: Do you recall what it was for?

13 JUROR NO. 93: It was drug related.

14 THE COURT: And was that in Prince George's County
15 where this took place?

16 JUROR NO. 93: No. It was New Jersey.

17 THE COURT: How long ago was that?

18 JUROR NO. 93: More than ten years.

19 THE COURT: Based on what you know about what
20 happened to your inlaw in that case, do you believe the
21 matter was fairly and appropriately handled by the
22 investigating, prosecuting and court authorities?

23 JUROR NO. 93: I couldn't comment really.

24 THE COURT: Based on what happened to your inlaw,
25 could that in any way impair your ability to serve as a juror

1 in this case and render a fair and impartial verdict based
2 only on the evidence?

3 JUROR NO. 93: I really don't know.

4 THE COURT: Well, obviously, you know how important
5 this is to Mr. Washington, who has been charged with this
6 case, and how important it is to the State of Maryland, and
7 what we're trying to do is to put 12 people together who
8 would not be influenced by anything they may have heard about
9 this case or by any of their own personal experiences.

10 So thinking of it in that light, I have to ask you
11 that question again. Could what happened to your brother in
12 any way impair your ability to serve as a juror in this case
13 and render a fair and impartial verdict?

14 JUROR NO. 93: I would be inclined to say yes.

15 THE COURT: Alright, sir. Thank you. Appreciate
16 it.

17 THE BAILIFF: Number 95.

18 THE COURT: Yes, ma'am. You are juror number 95?

19 JUROR NO. 95: Yes.

20 THE COURT: Yes, ma'am, and what was your response
21 to the question?

22 JUROR NO. 95: Yes.

23 THE COURT: And what part, ma'am?

24 JUROR NO. 95: I was a victim of a robbery.

25 THE COURT: How long ago was that, please?

1 JUROR NO. 95: About six years ago.

2 THE COURT: In Prince George's County?

3 JUROR NO. 95: Yes.

4 THE COURT: And were you injured?

5 JUROR NO. 95: No injury.

6 THE COURT: Were items taken from you?

7 JUROR NO. 95: My purse was stolen and all the
8 contents.

9 THE COURT: Was the person armed; do you remember?

10 JUROR NO. 95: He was armed with a pistol.

11 THE COURT: Was there anyone ever arrested or
12 apprehended for what happened to you?

13 JUROR NO. 95: I never found out the resolution of
14 the case.

15 THE COURT: But one was arrested but you don't know
16 whether --

17 JUROR NO. 95: I don't know if they apprehended the
18 suspect.

19 THE COURT: You were contacted by investigating
20 authorities at the time?

21 JUROR NO. 95: Initially.

22 THE COURT: And nothing after a certain period of
23 time?

24 JUROR NO. 95: (Juror shakes head.)

25 THE COURT: Do you believe that that matter was

1 properly or fairly or appropriately handled by the
2 investigating authorities?

3 JUROR NO. 95: I expected a follow-up, but when
4 that didn't occur, I assumed they had little priority for
5 those sort of things in that area.

6 THE COURT: And based on what happened to you in
7 that case, could that in any way impair your ability to serve
8 as a juror in this case and render a fair and impartial
9 verdict?

10 JUROR NO. 95: Not at all.

11 THE COURT: Thank you very much, ma'am.

12 THE BAILIFF: Number 96.

13 THE COURT: Good morning, ma'am. You're juror
14 number 96?

15 JUROR NO. 95: Yes.

16 THE COURT: What is your response to that question,
17 please?

18 JUROR NO. 95: I have a few family -- about four
19 family members that were victims.

20 THE COURT: What happened to them, please?

21 JUROR NO. 95: One was carjacked at gunpoint.

22 THE COURT: What kind of relative?

23 JUROR NO. 95: It was a cousin.

24 THE COURT: Who was carjacked?

25 JUROR NO. 95: Um-hmm.

1 THE COURT: Do you know when that was?

2 JUROR NO. 95: '06.

3 THE COURT: And was that in Prince George's County?

4 JUROR NO. 95: Yes.

5 THE COURT: Was anyone ever apprehended?

6 JUROR NO. 95: I'm not sure -- they -- yeah, they
7 found the people who did it.

8 THE COURT: Do you know what happened to them as a
9 result of the charges?

10 JUROR NO. 95: I'm not exactly sure.

11 THE COURT: Other family members?

12 JUROR NO. 95: I had two family members who were
13 shot on different occasions.

14 THE COURT: How long ago was that, ma'am?

15 JUROR NO. 95: Last year.

16 THE COURT: In Prince George's County again?

17 JUROR NO. 95: One happened in D.C.; one happened
18 in P. G.

19 THE COURT: Was anyone ever apprehended as a result
20 of those defenses or arrested or charged?

21 JUROR NO. 95: I don't know. I know they went to
22 court but I don't know what happened.

23 THE COURT: Any other family members that things
24 happened to?

25 JUROR NO. 95: I have a grandmother who was robbed

1 at gunpoint.

2 THE COURT: In Prince George's County?

3 JUROR NO. 95: (Juror nods head.)

4 THE COURT: How long ago was that, ma'am?

5 JUROR NO. 95: I'm not sure.

6 THE COURT: Do you know whether anyone was caught
7 or arrested for that charge?

8 JUROR NO. 95: No.

9 THE COURT: Based on all of these incidents that
10 you've described for us and what happened to your family
11 members, could that in any way impair your ability to serve
12 as a juror in this case and render a fair and impartial
13 verdict based only on the evidence?

14 JUROR NO. 95: I don't think so.

15 THE COURT: When you say you don't think so, you're
16 saying that it would not impair your ability?

17 JUROR NO. 95: No.

18 THE COURT: Any other questions you wish me to ask?

19 MR. WRIGHT: If I may ask her occupation.

20 THE COURT: Sorry, ma'am. What is your occupation?

21 JUROR NO. 95: I'm admin, administrative assistant.

22 THE COURT: For what company or what business?

23 JUROR NO. 95: Computer Science Corporation.

24 THE COURT: Did you have any other questions?

25 MR. COHEN: No, Your Honor.

1 THE COURT: Thank you very much, ma'am.

2 THE BAILIFF: Number 98.

3 THE COURT: Yes, sir, you're juror number 98?

4 JUROR NO. 98: Right.

5 THE COURT: Yes, sir, and what was your response?

6 JUROR NO. 98: Yes, there's been several little
7 things. Should I describe them?

8 THE COURT: Yes, sir.

9 JUROR NO. 98: Back in college I had a favorite
10 baseball glove stolen. I had a pair of concert tickets to
11 Stevie Wonder and the Rolling Stones. That was serious.

12 My brother, when he lived in New York City, in
13 Greenwich Village, had his apartment burglarized.

14 When I was in grad school, a backpack that I had
15 left in a bookstore was stolen. It had my passport.

16 And, just most recently, my son had some money and
17 some cash stolen out of his wallet in the boys' locker room.
18 Not a lot; 20 bucks, but a check that I wrote for the
19 wrestling team, that had to be ripped up, and I had to write
20 a new check and cancel it and spend 20 bucks.

21 THE COURT: Would any of those things in any way
22 impair your ability to serve as a juror in this case and
23 render a fair and impartial verdict?

24 JUROR NO. 98: No.

25 THE COURT: Thank you, sir. I appreciate it.

1 THE BAILIFF: Number 101.

2 THE COURT: Juror number 101?

3 JUROR NO. 101: Yes, sir.

4 THE COURT: What was your response to that
5 question, please?

6 JUROR NO. 101: Yes. My younger brother, I think,
7 on multiple occasions, the last two being -- not in this
8 jurisdiction. In Shelby County, Tennessee, and in DeSoto
9 County, Mississippi, on different charges. One was assault
10 and battery, I think, and the second, driving without a
11 license.

12 THE COURT: Was this a long time ago?

13 JUROR NO. 101: The latest period being about three
14 years ago.

15 THE COURT: Do you know what happened in those
16 incidents?

17 JUROR NO. 101: Very little, your Honor, except
18 that he didn't have a license and had not had one. On the
19 other one, it's related, probably, knowing his -- he had some
20 kind of drug altercation with another -- but I'm not sure.
21 He didn't serve that much time with that, but he was arrested
22 for it, I know, and incarcerated for a few days. I think it
23 went to a mistrial or whatever.

24 THE COURT: Based on your knowledge of what
25 happened to your brother in those instances, could that in

1 any way impair your ability to serve as a juror in this case
2 and render a fair and impartial verdict?

3 JUROR NO. 101: Absolutely not.

4 THE COURT: Thank you, sir. Appreciate it.

5 THE BAILIFF: Number 102.

6 THE COURT: Juror 102?

7 JUROR NO. 102: Yes, sir.

8 THE COURT: What was your response to that
9 question, please?

10 JUROR NO. 102: My only brother was brutally
11 murdered over ten years ago in Tampa, Florida. But I have
12 totally forgiven that person that committed that crime. I
13 hold no malice in my heart towards that person.

14 THE COURT: Was there someone that was apprehended
15 for that offense?

16 JUROR NO. 102: Yes. There was a trial. The
17 person is serving time.

18 THE COURT: Based on what happened in that case in
19 Florida and what happened to your brother, could that in any
20 way impair your ability to sit as a juror in this case and
21 render a fair and impartial verdict, particularly in light of
22 the fact that the allegations here are, as well, murder.

23 JUROR NO. 101: Not at all. I strongly believe in
24 forgiveness. I'm a licensed and ordained minister. I
25 practice what I preach. Plus, the circle of life goes on.

1 You can't hold onto malice and things like that.

2 MR. WRIGHT: If I may, Your Honor. If you can ask
3 as to that, is the potential juror comfortable with the
4 criminal justice system as it is; i.e., people receiving
5 incarceration, although she has made her piece in certain
6 situations. If you understand my question.

7 THE COURT: What is your view of the criminal
8 justice system in terms of its accountability factor? If
9 someone were convicted of a crime, they may be incarcerated.
10 It doesn't mean they will, but they may. Does that in any
11 way, as a minister, cause you any difficulty in that you
12 would not be able to serve and render an impartial verdict?

13 JUROR NO. 101: No, not at all. I believe very
14 strongly in our criminal justice system. I believe it is
15 fair and just.

16 THE COURT: Thank you, ma'am. I appreciate it.

17 THE BAILIFF: Number 103.

18 THE COURT: Yes, sir, you are juror number 103?

19 JUROR NO. 103: Yes, sir.

20 THE COURT: What was your response to that
21 question, please?

22 JUROR NO. 103: My girlfriend of 18 years was
23 raped.

24 THE COURT: How long ago was that, sir?

25 JUROR NO. 103: About four years ago. I was with

1 her for 18 years, and she later killed herself. Although she
2 had other problems, but I don't think that helped any.

3 THE COURT: Was anyone ever apprehended for what
4 happened?

5 JUROR NO. 103: She would never tell me very many
6 details about it or who did it. I asked her many times.

7 THE COURT: Did that happen in Prince George's
8 County, the assault on her?

9 JUROR NO. 103: I'm not sure if it was Prince
10 George's County or Anne Arundel County. We were living in
11 Prince George's County then.

12 THE COURT: But she never told you any of the
13 details of what may have happened?

14 JUROR NO. 103: She was in a support group that she
15 went to, and she would never give me any details about it. I
16 asked her about it many times.

17 THE COURT: What happened to your former
18 girlfriend, could that in any way impair your ability to
19 serve as a juror in this case and render a fair and impartial
20 verdict based only on the evidence?

21 JUROR NO. 103: It's affected me in many ways. I'm
22 not sure exactly how to explain.

23 THE COURT: Obviously, this is a very important
24 matter for the State, and it's a very important matter for
25 Mr. Washington, who has been charged.

1 JUROR NO. 103: Yes, I understand.

2 THE COURT: What we're trying to do is put people
3 together who would not be influenced by any matters that have
4 happened or things as a result of their own personal
5 experiences.

6 JUROR NO. 103: I understand.

7 THE COURT: So my question to you, in thinking of
8 it in that light, could what happened to your girlfriend in
9 any way impair your ability to serve as a juror in this case
10 and render a fair and impartial verdict?

11 JUROR NO. 103: I feel that it might.

12 THE COURT: Alright, sir. Thank you. I appreciate
13 it.

14 THE BAILIFF: Number 106.

15 THE COURT: You are juror number 106?

16 JUROR NO. 106: Yes, sir.

17 THE COURT: What was your response to that
18 question?

19 JUROR NO. 106: My wife was robbed some years ago
20 and gun-butted, you know.

21 Also, I had a brother who was shot and killed in
22 New York some years ago.

23 THE COURT: How long ago did that happen to your
24 wife?

25 JUROR NO. 106: My wife, that was about 15 years

1 ago.

2 THE COURT: Was that in this area?

3 JUROR NO. 106: Yes, in Clinton.

4 THE COURT: Was anyone ever apprehended for that?

5 JUROR NO. 106: No.

6 THE COURT: And you say your brother was killed in
7 New York?

8 JUROR NO. 106: Yeah, that was in New York.

9 THE COURT: That was about how long ago?

10 JUROR NO. 106: About 13 years ago.

11 THE COURT: Was anyone ever apprehended?

12 JUROR NO. 106: Yes, there was.

13 THE COURT: Do you know what happened to that
14 person as a result?

15 JUROR NO. 106: I think he got 15 years.

16 THE COURT: Based on what happened to your wife and
17 what happened to your brother in New York, could those
18 experiences in any way impair your ability to serve as a
19 juror in this case --

20 JUROR NO. 106: I'm sure it would not.

21 THE COURT: -- and render a fair and impartial
22 verdict based only on the evidence presented, and
23 particularly in light of the facts as alleged here include a
24 killing?

25 JUROR NO. 106: No, I'm sure it would not.

1 THE COURT: Alright, sir. Thank you.

2 THE BAILIFF: Number 107.

3 THE COURT: Yes, ma'am, you're juror number 107?

4 JUROR NO. 107: Yes.

5 THE COURT: What was your response to that
6 question, please?

7 JUROR NO. 107: Yes.

8 THE COURT: In what part, ma'am?

9 JUROR NO. 107: My brother.

10 THE COURT: What happened to your brother?

11 JUROR NO. 107: He's been convicted in P. G. County
12 and Montgomery County.

13 THE COURT: Do you know what for?

14 JUROR NO. 107: Assault and robbery.

15 THE COURT: Do you know how long ago those things
16 took place?

17 JUROR NO. 107: Anywhere from 1998 to 2005.

18 THE COURT: Is he currently incarcerated?

19 JUROR NO. 107: No.

20 THE COURT: He's out now?

21 JUROR NO. 107: Um-hmm.

22 THE COURT: Based on what you know about those
23 matters, do you believe that the matters were fairly and
24 appropriately handled by investigating, prosecuting or court
25 authorities?

1 JUROR NO. 107: Some of them; not all of them.

2 THE COURT: When you say not all of them, what are
3 you speaking of?

4 JUROR NO. 107: Mainly, his last one.

5 THE COURT: What was your feeling about that?

6 JUROR NO. 107: I just -- it was violation of
7 parole, and I think his parole officer was just out to get
8 him.

9 THE COURT: Based on what happened to your brother
10 in these incidents, including the parole incident, could they
11 in any way impair your ability to serve as a juror in this
12 case and render a fair and impartial verdict based only on
13 the evidence?

14 JUROR NO. 107: No.

15 THE COURT: Thank you, ma'am.

16 THE BAILIFF: Number 108.

17 THE COURT: Yes, sir, you're juror number 108?

18 JUROR NO. 108: Yes.

19 THE COURT: Yes, sir, and what was your response,
20 please?

21 JUROR NO. 108: Last month -- immediate family,
22 right? Last month my sister-in-law house was broken into.
23 She was shot and killed. She was shot once in the head and
24 killed, her roommate was shot and killed, twice in the head.
25 My nephew was shot twice in the head, but he 's at my

1 mother's house now, recovering.

2 In 1980 my oldest brother was murdered, and no one
3 has been arrested for that murder.

4 THE COURT: Your sister-in-law and her roommate,
5 how long ago --

6 JUROR NO. 108: Last month.

7 THE COURT: Last month? In Prince George's County?

8 JUROR NO. 108: No; in Wilson, North Carolina.

9 THE COURT: Has anyone been apprehended for that?

10 JUROR NO. 108: No. They have two suspects, but
11 they haven't arrested them yet. They're just looking at
12 them.

13 THE COURT: And your oldest brother was?

14 JUROR NO. 108: Murdered in 1980 in Atlanta,
15 Georgia.

16 THE COURT: In Atlanta, Georgia, and no one was
17 ever apprehended for that?

18 JUROR NO. 108: No one has ever been caught for
19 that.

20 THE COURT: Obviously, the experiences with your
21 sister-in-law and her roommate and your brother, could they
22 in any way impair your ability to serve as a juror on this
23 case and render a fair and impartial verdict, in view of the
24 fact that the charges alleged here are murder?

25 JUROR NO. 108: Yeah, I believe I could. I know

1 I'm going to think about it because -- I believe I could.

2 THE COURT: You believe you could render a fair and
3 impartial verdict --

4 JUROR NO. 108: Yes, I would be as far as I could
5 possibly be.

6 THE COURT: -- despite the circumstances associated
7 with your sister-in-law and your brother? That's what I'm
8 asking you.

9 JUROR NO. 108: You know, sir, I'm not sure.

10 THE COURT: We're not trying to put you on the
11 spot. I'm just trying to elicit information that is helpful
12 to all of us. We know how difficult this whole thing is.

13 JUROR NO. 108: Because that is on my mind because
14 I speak to my mother about it every day.

15 THE COURT: So if I understand it correctly -- and
16 you correct me if I'm wrong -- you're saying that the
17 experiences associated with what happened to your
18 sister-in-law and your brother may impair your ability to
19 serve as a juror in this case and render a fair and impartial
20 verdict. Am I stating that correctly?

21 JUROR NO. 108: Yes, sir.

22 THE COURT: Alright, sir. Thank you. I appreciate
23 it.

24 THE BAILIFF: Number 109.

25 THE COURT: Yes, ma'am, juror number 109?

1 JUROR NO. 109: Yes.

2 THE COURT: What was your response to that
3 question?

4 JUROR NO. 109: Yes.

5 THE COURT: And what part, please?

6 JUROR NO. 109: When I was living with my mom, we
7 had our place broken into twice. Then, when I was living on
8 my own, I had my place broken into twice and, plus, I had my
9 car stolen once.

10 THE COURT: Was this all in Prince George's County?

11 JUROR NO. 109: No. It was in D.C.

12 THE COURT: How long ago did these things take
13 place, roughly?

14 JUROR NO. 109: In the '80's, 1980's.

15 THE COURT: Was anyone ever apprehended for any of
16 the offenses?

17 JUROR NO. 109: Yes.

18 THE COURT: Do you know what happened to them as a
19 result?

20 JUROR NO. 109: Well, when I had my place broken
21 into the first time, it was two juveniles. They were caught,
22 and they had to serve community service.

23 THE COURT: What about the other circumstances?

24 JUROR NO. 109: The last time they didn't find the
25 perpetrator.

1 THE COURT: Could any of these things that have
2 happened to you and your mother, could they in any way impair
3 your ability to serve as a juror in this case and render a
4 fair and impartial verdict?

5 JUROR NO. 109: No, sir.

6 THE COURT: Thank you, ma'am. I appreciate it.

7 Can we go off the record for a second?

8 (Discussion off the record.)

9 THE BAILIFF: Number 110.

10 THE COURT: Back on the record. Yes, ma'am, you
11 are juror number 110?

12 JUROR NO. 110: Yes.

13 THE COURT: And what was your response to that
14 question, please?

15 JUROR NO. 110: My ex-husband did armed robbery,
16 and then I got two others. My niece did theft and drugs.
17 And my other niece just wrote a check, and I don't know if
18 they charged her. She just had it done the other day.

19 THE COURT: Bad checks?

20 JUROR NO. 110: Um-hmm. But they didn't get any
21 money.

22 THE COURT: Did these things all happen in Prince
23 George's County?

24 JUROR NO. 110: Um-hmm.

25 THE COURT: And what happened to your ex-husband as

1 a result of the robbery with a deadly weapon?

2 JUROR NO. 110: He went to jail for three years but
3 he's deceased now.

4 THE COURT: And your niece on the drugs and armed
5 robbery?

6 JUROR NO. 110: She's doing fine. She lives in
7 Lothian now.

8 THE COURT: She wasn't incarcerated or --

9 JUROR NO. 110: She was at one time, years ago.
10 The other one, they dropped the charge.

11 THE COURT: Could any of these experiences of what
12 happened to any of your relatives, former relatives that
13 you've told us about, could that in any way impair your
14 ability to serve as a juror in this case and render a fair
15 and impartial verdict based only on the evidence?

16 JUROR NO. 110: No, I don't think so.

17 THE COURT: You looked a little bit --

18 JUROR NO. 110: I know.

19 THE COURT: I need you to think -- that's fine if
20 that's the case, but I need you to think about it and reflect
21 on it and tell me.

22 JUROR NO. 110: No.

23 THE COURT: You believe that it could impair your
24 ability or not?

25 JUROR NO. 110: It can't.

1 THE COURT: It cannot impair your ability, what
2 happened to your family members.

3 JUROR NO. 110: Well, they got justice.

4 THE COURT: That was my question. Thank you.

5 THE BAILIFF: Number 111.

6 THE COURT: Yes, ma'am, you're juror number 111?

7 JUROR NO. 111: Yes.

8 THE COURT: Welcome back. What was your response
9 to that question, please?

10 JUROR NO. 111: Someone tried to enter my apartment
11 through a window while I was sleeping, and my mother had her
12 purse snatched.

13 THE COURT: How long ago did the person try to get
14 into your apartment?

15 JUROR NO. 111: A year and a half ago.

16 THE COURT: And, obviously, didn't get in or did
17 get in?

18 JUROR NO. 111: No, did not.

19 THE COURT: Was the person ever apprehended?

20 JUROR NO. 111: No, sir.

21 THE COURT: Was anything ever taken?

22 JUROR NO. 111: No, sir.

23 THE COURT: And your mother had her purse taken?

24 JUROR NO. 111: Yes.

25 THE COURT: Do you know what the circumstances of

1 that were?

2 JUROR NO. 111: Oh, she was getting out of her car,
3 around Christmas time a year ago, and someone just was
4 walking by and snatched her purse.

5 THE COURT: Was anyone ever arrested for that?

6 JUROR NO. 111: No.

7 THE COURT: Would either of these experiences that
8 you've described for us, could they in any way impair your
9 ability to serve as a juror in this case and render a fair
10 and impartial verdict?

11 JUROR NO. 111: No, sir.

12 THE COURT: Thank you, ma'am. I appreciate it.

13 THE BAILIFF: Number 115.

14 THE COURT: Yes, sir, you're juror number 115?

15 JUROR NO. 115: Yes, sir.

16 THE COURT: What was your response to that
17 question, please?

18 JUROR NO. 115: Actually, my youngest brother was
19 murdered.

20 THE COURT: How long ago was that, sir?

21 JUROR NO. 115: That was June of 2004.

22 THE COURT: Here in Prince George's County?

23 JUROR NO. 115: No; in D.C.

24 THE COURT: Was anyone ever arrested or apprehended
25 for it?

1 JUROR NO. 115: No.

2 THE COURT: No one was ever caught?

3 JUROR NO. 115: No.

4 THE COURT: Is it still under investigation?

5 JUROR NO. 115: Yes.

6 THE COURT: It is still under investigation. Based
7 on what happened to your brother and the experience
8 associated with it, could that in any way impair your ability
9 to serve as a juror in this case and render a fair and
10 impartial verdict, particularly in light of the charges being
11 similar?

12 JUROR NO. 115: Un-uh.

13 THE COURT: Alright, sir. Thank you.

14 THE BAILIFF: Number 118.

15 THE COURT: Juror number 118?

16 JUROR NO. 118: Yes. Are you going to let me go?
17 I have a preelection meeting tonight.

18 THE COURT: Did you have anything you wanted to
19 tell us about anything on that last question?

20 JUROR NO. 118: Oh, on the last question. Someone
21 broke into my home.

22 THE COURT: How long ago?

23 JUROR NO. 118: Twenty years. And someone stole my
24 car about ten years ago.

25 THE COURT: Anyone ever apprehended for either one

1 of those offenses?

2 JUROR NO. 118: No.

3 THE COURT: Could what happened to you in either
4 circumstance in any way impair your ability to serve as a
5 juror in this case and render a fair and impartial verdict?

6 JUROR NO. 118: No, but I need -- are you going to
7 let me go? You know why I need to know? Because I have to
8 call these people.

9 THE COURT: I know. Well, I won't be able to tell
10 you right now.

11 JUROR NO. 118: I need to make a phone call then.

12 THE COURT: What time is your preelection meeting?

13 JUROR NO. 118: It's at six o'clock.

14 THE COURT: Would you give me one moment please?

15 JUROR NO. 118: Thank you.

16 THE BAILIFF: Number 123.

17 THE COURT: Wait a minute. What do you want me to
18 do with her?

19 MR. COHEN: She has to be working on Tuesday,
20 correct?

21 THE COURT: Well, she has a meeting tonight and
22 it's Tuesday, yeah.

23 MR. WRIGHT: Tomorrow is the primary.

24 MR. MOOMAU: We're going to get a lot of hands when
25 you get that question, that it's going to last five to seven

1 days.

2 THE COURT: I understand that. I'm just asking
3 you. What do you want me to do?

4 MR. COHEN: I'm not sure she'd be attentive if she
5 stayed for Tuesday, thinking about the election, if she's
6 supposed to be working on the election.

7 MR. WRIGHT: But she might be a prime person to
8 stay for five to seven days. She might be an ideal
9 candidate.

10 THE COURT: Well, you tell me.

11 MR. MOOMAU: I don't want to do anything right now.

12 THE COURT: Well, somehow she has to make a call.

13 MR. COHEN: I would suggest allowing her to make a
14 phone call.

15 THE COURT: That was juror number 118. Would you
16 have the bailiff let her go outside and make a phone call and
17 come back in. We need to know before we ask the next
18 question that she's back.

19 MR. WRIGHT: And I'm guess I'm wondering, if she
20 makes the call, what is she going to tell --

21 THE COURT: That she's not going to be there
22 tonight.

23 MR. WRIGHT: And she might not be there tomorrow.
24 But we can do that one later.

25 THE COURT: Alright, Sheila.

1 THE BAILIFF: Number 123.

2 THE COURT: Yes, sir, you're juror number 123?

3 JUROR NO. 123: Yes, sir.

4 THE COURT: What was your response to that
5 question?

6 JUROR NO. 123: It was yes.

7 THE COURT: In what part, sir?

8 JUROR NO. 123: In both parts. I have a younger
9 brother that was arrested, I think in the late '80's, for a
10 drug charge, and my father was a victim of a hit-and-run
11 driver in Staten Island.

12 THE COURT: Did he survive?

13 JUROR NO. 123: Um-hmm.

14 THE COURT: Was he seriously injured?

15 JUROR NO. 123: Yeah. His leg was almost taken
16 off.

17 THE COURT: What happened to your brother as a
18 result of that charge in the late '80's?

19 JUROR NO. 123: Well, he served some time, but now
20 he's a positive member of society.

21 THE COURT: Was that in Prince George's County?

22 JUROR NO. 123: No, that was in New York.

23 THE COURT: And was anyone ever arrested or
24 apprehended for what happened to your father?

25 JUROR NO. 123: No.

1 THE COURT: No one was ever caught?

2 JUROR NO. 123: Un-uh.

3 THE COURT: Based on your knowledge of what
4 happened to your brother and your father in these instances,
5 could that in any way impair your ability to serve as a juror
6 in this case and render a fair and impartial verdict?

7 JUROR NO. 123: No, sir.

8 THE COURT: Thank you sir. I appreciate it.

9 THE BAILIFF: Number 124.

10 THE COURT: Juror number 124? Yes, ma'am, what was
11 your response, please?

12 JUROR NO. 124: My cousin was arrested for dug
13 paraphernalia.

14 THE COURT: How long ago was that, ma'am?

15 JUROR NO. 124: It was last year.

16 THE COURT: In Prince George's County?

17 JUROR NO. 124: Um-hmm.

18 THE COURT: Do you know what happened to him as a
19 result?

20 JUROR NO. 124: The case was dropped because the
21 arresting officer didn't show up.

22 THE COURT: And could that in any way impair your
23 ability to serve as a juror in this case and render a fair
24 and impartial verdict?

25 JUROR NO. 124: Un-uh.

1 THE COURT: Thank you, ma'am. Did you have
2 anything else you wanted to say?

3 JUROR NO. 124: Un-uh. Just don't pick me.

4 THE COURT: Thank you, ma'am.

5 THE BAILIFF: Number 128.

6 THE COURT: Alright, sir. You are juror number
7 128?

8 JUROR NO. 128: Yes.

9 THE COURT: Yes, sir, and what was your response to
10 that question, please?

11 JUROR NO. 128: I was convicted of a felony.

12 THE COURT: What was that, sir, if you don't mind?

13 JUROR NO. 128: I mind.

14 THE COURT: I'm sorry, but you have to tell us.
15 It's a requirement, and apologize to you, but we have to --

16 JUROR NO. 128: I thought you said do I mind. I do
17 mind, but I'll tell you. It's armed robbery.

18 THE COURT: And did that occur in Prince George's
19 County, sir?

20 JUROR NO. 128: Um-hmm.

21 THE COURT: How long ago was that?

22 JUROR NO. 128: Eight years.

23 THE COURT: And what happened to you as a result?
24 As a result of being convicted of the crime, what happened?

25 JUROR NO. 128: Over the years I got my life right.

1 THE COURT: I understand that. Otherwise, you
2 wouldn't be here in front of me today. But when you were
3 convicted, were you incarcerated?

4 JUROR NO. 128: Um-hmm.

5 THE COURT: For how long, sir?

6 JUROR NO. 128: It was like 18 months or something
7 like that.

8 THE COURT: And you were placed on a period of
9 probation and that probation is now over?

10 JUROR NO. 128: Um-hmm.

11 THE COURT: Based on what happened to you in that
12 circumstance, could that in any way impair your ability to
13 serve as a juror in this case and render a fair and impartial
14 verdict based only on the evidence?

15 JUROR NO. 128: Yeah and no. The reason I say yeah
16 because, as a felon, it's hard for me to get a job. I just
17 got a job that starts on Thursday. And no because I believe
18 I'm a fair individual because of where I have been, but then
19 it's like I lose my job because of something like this. And
20 I have my opinions about the case --

21 THE COURT: You have opinions about the case?

22 JUROR NO. 128: Um-hmm.

23 THE COURT: And what are those opinions?

24 JUROR NO. 128: My opinion is -- from everything I
25 seen on TV, because I didn't realize who it was until I seen

1 his face when you all turned him around to stand up, I think
2 he's guilty, me personally.

3 THE COURT: When we asked the question about
4 publicity, you didn't respond.

5 JUROR NO. 128: I didn't see him at first. When
6 you introduced him, I recognized his face.

7 THE COURT: So what you're saying is, based on what
8 you've heard and seen, you believe you could not sit as a
9 juror, impartially, and determine a fair and impartial
10 verdict; is that what you're saying?

11 JUROR NO. 128: Yeah and no. I'm saying from what
12 I seen so far, I believe he's guilty. Me personally. Maybe
13 if I see the evidence, I might believe otherwise.

14 But then no, because I just started a new job.
15 Because I lose my job. Because I start Thursday.

16 MR. WRIGHT: I may have misheard. I didn't
17 understand. He was convicted of robbery eight years ago?

18 THE COURT: Yes.

19 MR. WRIGHT: Did he receive some type of --

20 THE COURT: Yes, 18 months.

21 MR. WRIGHT: Was there probation?

22 THE COURT: Yes, and the probation has expired but,
23 no, it wasn't PBJ.

24 MR. WRIGHT: The State would move for cause.

25 THE COURT: Alright, sir, thank you. Have a seat

1 back in the audience.

2 When I asked him the two questions, he said yes and
3 no.

4 MR. MOOMAU: Alright.

5 THE COURT: He said yes, he couldn't be impartial
6 because of the fact that he has a job that's just beginning
7 on Thursday and he would lose that job. And then he said no,
8 that he believes that he's a fair person and could be fair in
9 any determination.

10 MR. COHEN: Your Honor, he also said I think he is
11 guilty, and I believe that he was speaking about
12 Mr. Washington.

13 THE COURT: Yes, but I think that was from what
14 he's heard in the case, but if the evidence were otherwise
15 during the trial. But I believe -- does anybody have a
16 challenge for cause?

17 MR. COHEN: Yes.

18 MR. MOOMAU: Yes.

19 THE COURT: Then he's excused by agreement of the
20 parties.

21 Okay, Sheila. Thank you.

22 THE BAILIFF: Number 129.

23 THE COURT: Yes, ma'am, you are juror number 129?

24 JUROR NO. 129: Yes.

25 THE COURT: What was your response?

1 JUROR NO. 129: The only thing, my mother was a
2 victim of domestic violence. My mother was, I should say.
3 So I witnessed that.

4 And my father was incarcerated for 13 years.

5 THE COURT: Do you remember what your father was
6 incarcerated for?

7 JUROR NO. 129: Robbery and he escaped.

8 THE COURT: How long ago was that?

9 JUROR NO. 129: From 1980 until 1993.

10 THE COURT: Was that charge in this area, in Prince
11 George's County?

12 JUROR NO. 129: No. It was in North Carolina.

13 THE COURT: In North Carolina. And what happened
14 to -- was anyone arrested for what happened to your mother in
15 Iowa?

16 JUROR NO. 129: No, not in Iowa. My mother was
17 here.

18 THE COURT: Was anyone arrested for what happened
19 to your mother here?

20 JUROR NO. 129: No. It was my father. It was
21 domestic violence.

22 THE COURT: So there were no charges?

23 JUROR NO. 129: No.

24 THE COURT: Based on what happened to your father
25 and or what happened to your mother, could those experiences

1 in any way impair your ability to serve as a juror in this
2 case and render a fair and impartial verdict based only on
3 the evidence?

4 JUROR NO. 129: My father, I would say no. My
5 mother, if any of this involved domestic violence, I would
6 say yes.

7 THE COURT: Well, that wasn't my question. My
8 question was could either of these incidents, no matter the
9 facts or circumstances, could they in any way impair your
10 ability to serve as a juror in this case and render a fair
11 and impartial verdict based only on the evidence?

12 JUROR NO. 129: I would have to say yes then.

13 THE COURT: Alright, ma'am. Thank you. Appreciate
14 it.

15 She said that she would impaired. She said she
16 wouldn't be if it wasn't related to domestic violence. I
17 said that wasn't the question I asked.

18 THE BAILIFF: Number 131.

19 THE COURT: Yes, ma'am, you're juror number 131?

20 JUROR NO. 131: Yes.

21 THE COURT: What was your response to that
22 question, please?

23 JUROR NO. 131: I was involved in a burglary.

24 THE COURT: How long ago was that?

25 JUROR NO. 131: About five years ago.

1 THE COURT: Was that in Prince George's County?

2 JUROR NO. 131: In Montgomery county.

3 THE COURT: And what happened as result of it?

4 JUROR NO. 131: Well, I was working at CVS and two
5 gunmen came in. They never caught them, supposedly.

6 THE COURT: Two men with guns came into the CVS
7 where you were working?

8 JUROR NO. 131: Yes.

9 THE COURT: And they held you and others up in the
10 store?

11 JUROR NO. 131: Yes. It was, I think, three
12 employees and to paying customers.

13 THE COURT: And no one was ever apprehended as a
14 result of that?

15 JUROR NO. 131: No, not that I know of.

16 THE COURT: Could what have happened to you and the
17 experiences associated with it in any way impair your ability
18 to serve as a juror in this case and render a fair and
19 impartial verdict based only on the evidence?

20 JUROR NO. 131: No.

21 THE COURT: You seemed a little bit hesitant. Did
22 you understand my question?

23 JUROR NO. 131: I did. I'm not sure how it would
24 affect my decision.

25 THE COURT: This is a very important case both for

1 Mr. Washington, because he's been charged, and for the State
2 of Maryland, who has initiated the proceedings in this case.
3 What we're trying to do is put 12 people together who would
4 not be influenced by any personal experiences they may have
5 had.

6 So thinking of it in that light, I need to ask you
7 that question again. Could what happened to you in any way
8 impair your ability to serve as a juror in this case and
9 render a fair and impartial verdict?

10 JUROR NO. 131: Yes, if it had taken a different --
11 I mean, if something else that happened, I mean what happened
12 to me didn't affect -- I mean it wouldn't affect my decision.

13 THE COURT: What happened to you would not affect
14 your decision; is that what you're saying?

15 JUROR NO. 131: Yes.

16 THE COURT: Thank you, ma'am. I appreciate it.

17 THE BAILIFF: Number 135.

18 THE COURT: Yes, sir, you are juror number 135; is
19 that correct?

20 JUROR NO. 135: That's right.

21 THE COURT: What was your response to that
22 question, sir?

23 JUROR NO. 135: Well, I had a couple of burglaries,
24 you know, had a couple break-ins in my house.

25 THE COURT: How long ago was that, sir?

1 JUROR NO. 135: One was about ten years ago.

2 THE COURT: Was anyone ever apprehended?

3 JUROR NO. 135: No.

4 THE COURT: No one was ever caught?

5 JUROR NO. 135: No.

6 THE COURT: Was any property that was taken ever
7 returned?

8 JUROR NO. 135: No.

9 THE COURT: Did you believe that the investigating
10 authorities handled the matter properly, to the best of your
11 knowledge?

12 JUROR NO. 135: I don't think they completely
13 handled it like it should have been.

14 THE COURT: Based on what happened to you in those
15 experience, could that in any way impair your ability to
16 serve as a juror in this case and render a fair and impartial
17 verdict based only on the evidence?

18 JUROR NO. 135: I think I can make a fair judgment.
19 But I have a felony too.

20 THE COURT: Okay, sir, and what was that for?

21 JUROR NO. 135: Well, it was a fight.

22 THE COURT: And what were you charged with?

23 JUROR NO. 135: Well, I guess it was assault.

24 THE COURT: What happened to you as a result?

25 JUROR NO. 135: The case was thrown out. The

1 people didn't show up and the case was thrown out.

2 THE COURT: Based on either of those experiences,
3 could that in any way impair your ability to serve as a juror
4 in this case and render a fair and impartial verdict?

5 JUROR NO. 135: No, I don't think so.

6 THE COURT: You were a little bit reluctant.

7 JUROR NO. 135: Yes. Well, I mean, I think I could
8 give a fair judgment on the case, but I don't know if I
9 already got my mind already made up.

10 THE COURT: Well, that's what I'm asking you. Do
11 you have your mind already made up in this case?

12 JUROR NO. 135: Yes.

13 THE COURT: Thank you very much. I appreciate it.

14 THE BAILIFF: Number 137.

15 THE COURT: Yes, sir, you are juror number 137?

16 JUROR NO. 137: Yes, sir.

17 THE COURT: What was your response to that
18 question, please?

19 JUROR NO. 137: I was burglarized twice, my house.
20 Then I have two friends that were arrested or convicted of
21 drugs.

22 THE COURT: Was anyone ever apprehended on the
23 burglaries to your home?

24 JUROR NO. 137: On one, yes.

25 THE COURT: Do you know what happened to that

1 person?

2 JUROR NO. 137: It was a minor and was put on
3 probation.

4 THE COURT: And the other case no one was
5 apprehended?

6 JUROR NO. 137: No one was apprehended.

7 THE COURT: Were articles taken from your house?

8 JUROR NO. 137: The first one, yes. The second
9 one, where the person was apprehended, he was caught in the
10 house at the time.

11 THE COURT: What happened to your two friends who
12 were arrested --

13 JUROR NO. 137: One was arrested for possession of
14 marijuana. The case was dropped. The second one was
15 arrested for manufacturing and was convicted and served five
16 years in federal prison.

17 THE COURT: Was that in the local area?

18 JUROR NO. 137: No; in California.

19 THE COURT: Based on any of these experiences that
20 you described for us, could those experiences in any way
21 impair your ability to serve as a juror in this case and
22 render a fair and impartial verdict?

23 JUROR NO. 137: Not at all.

24 THE COURT: Thank you, sir. I appreciate it.

25 THE BAILIFF: Number 139.

1 THE COURT: Yes, ma'am, you are juror number 139?

2 JUROR NO. 139: Um-hmm.

3 THE COURT: What was your response, please?

4 JUROR NO. 139: I said yes because my kid's father
5 is locked up in Upper Marlboro for robbery and assault with a
6 deadly weapon.

7 THE COURT: And that's pending trial?

8 JUROR NO. 139: No. He's been locked up since
9 August.

10 THE COURT: Was he convicted or was he just
11 arrested on these offenses; do you know offhand? Has he gone
12 to trial yet?

13 JUROR NO. 139: Un-uh.

14 THE COURT: And he's been locked up since August,
15 you say?

16 JUROR NO. 139: August, um-hmm.

17 THE COURT: Based on what you know about the
18 circumstances of this matter, do you think that that could in
19 any way impair your ability to serve as a juror in this case
20 and render a fair and impartial verdict based only on the
21 evidence?

22 JUROR NO. 139: Un-uh.

23 THE COURT: Alright, ma'am. Thank you. I
24 appreciate it.

25 THE BAILIFF: Number 141.

1 MR. WRIGHT: I was going to ask her occupation.

2 THE COURT: Juror number 141?

3 JUROR NO. 141: That's right.

4 THE COURT: Yes, sir, and what was your response to
5 that question, please?

6 JUROR NO. 141: I have a friend of the family.
7 They were mugged and stabbed.

8 THE COURT: How long ago was that, sir?

9 JUROR NO. 141: About eight years.

10 THE COURT: Do you know if anyone was ever
11 apprehended for it?

12 JUROR NO. 141: No.

13 THE COURT: Based on what you know happened to your
14 friend in that circumstance, could that in any way impair
15 your ability to serve as a juror in this case and render a
16 fair and impartial verdict?

17 JUROR NO. 141: Probably. It's a pretty emotional
18 issue.

19 THE COURT: Alright, sir. I appreciate your candid
20 response. Thank you.

21 THE BAILIFF: Number 146.

22 THE COURT: You are juror number 146?

23 JUROR NO. 146: Yes, sir.

24 THE COURT: And what was your response to that
25 question, please?

1 JUROR NO. 146: I've been stabbed before. I've
2 been charged with unlawful carry of a handgun and possession
3 with intent to distribute.

4 THE COURT: How long ago were you stabbed?

5 JUROR NO. 146: I was stabbed in April, just
6 passed.

7 THE COURT: And was anyone arrested for it?

8 JUROR NO. 146: Yes.

9 THE COURT: What happened to them?

10 JUROR NO. 146: He got two years unsupervised
11 probation.

12 THE COURT: And what happened --

13 JUROR NO. 146: Those were both thrown out.

14 THE COURT: Both the weapons charge and the PWID
15 were thrown out?

16 JUROR NO. 146: Yes. One other question. Can I
17 make a phone call? I have to work at six. I thought this
18 was going to be over at five.

19 THE COURT: We have three more people to talk to,
20 and then we're finished for the day.

21 JUROR NO. 146: Cool.

22 THE COURT: Let me ask you my question. Did any of
23 these things here you're describing for us, either the fact
24 of being stabbed by another individual or the fact that you
25 were charged with those crimes that you mentioned to us,

1 could that in any way impair your ability to serve as a juror
2 in this case and render a fair and impartial verdict based
3 only on the evidence?

4 JUROR NO. 146: I don't think so.

5 THE COURT: Thank you, sir. I appreciate it.

6 THE BAILIFF: Number 147.

7 THE COURT: You are juror number 147?

8 JUROR NO. 147: Yes, sir.

9 THE COURT: What was your response to that
10 question, please?

11 JUROR NO. 147: Several years ago I was charged
12 with three counts of attempted murder. That was in, I think,
13 '93.

14 THE COURT: In Maryland?

15 JUROR NO. 147: Yes.

16 THE COURT: In Prince George's County?

17 JUROR NO. 147: Yes. While I was in class. At
18 that time I was at P. G. Community College.

19 THE COURT: And what happened to those charges?

20 JUROR NO. 147: Everything was dismissed.

21 THE COURT: Based on what happened to you in those
22 matters, do you believe that that could in any way impair
23 your ability to serve as a juror in this case and render a
24 fair and impartial verdict?

25 JUROR NO. 147: I don't think it will.

1 THE COURT: You --

2 JUROR NO. 147: No, I don't think it will.

3 THE COURT: It would not impair your ability?

4 JUROR NO. 147: It will not.

5 THE COURT: Thank you, sir.

6 THE BAILIFF: Number 149.

7 THE COURT: Thank you, sir. You're juror number
8 149?

9 JUROR NO. 149: Yes, sir.

10 THE COURT: Yes, sir, what was your response to
11 that question?

12 JUROR NO. 149: I have three petty larcenies to
13 vehicles and one assault to a child. Broke his jaw in
14 several places.

15 MR. WRIGHT: Could you say that again, please.

16 JUROR NO. 149: I have three petty larcenies out of
17 a vehicle. They just stole minor stuff. No reports were
18 ever filed.

19 THE COURT: That happened to your property?

20 JUROR NO. 149: My vehicle, yes. But that was in
21 Virginia. And my son, he had an uninvited guest at a party,
22 basically, obliterate his face.

23 THE COURT: Where did that occur?

24 JUROR NO. 149: That was also in Virginia, Prince
25 William, Forest.

1 THE COURT: Was anyone ever arrested for that?

2 JUROR NO. 149: Negative.

3 THE COURT: No one was ever caught or apprehended?

4 JUROR NO. 149: Negative.

5 THE COURT: How is your son now?

6 JUROR NO. 149: He's fine now. He had his face
7 wired shut for six weeks, but he's okay.

8 THE COURT: Based on the incidents that you have
9 described to us, could they in any way impair your ability to
10 serve as a juror in this case and render a fair and impartial
11 verdict based only on the evidence?

12 JUROR NO. 149: No.

13 THE COURT: Thank you, sir. Appreciate it.

14 THE BAILIFF: And number 150.

15 THE COURT: Good evening, juror number 150.

16 JUROR NO. 150: Hello. I have a close, personal
17 friend who was raped on the job in August of '07. The trial
18 was in November of '07. And that's about it. That's my
19 extent.

20 THE COURT: What was the outcome of the trial?

21 JUROR NO. 150: The defendant was found not guilty
22 for lack of evidence.

23 THE COURT: Based on your knowledge of that
24 particular case and what happened to your friend and the
25 outcome of that case, could that in any way impair your

1 ability to serve as a juror in this case and render a fair
2 and impartial verdict?

3 JUROR NO. 150: No.

4 THE COURT: Thank you, ma'am. I appreciate it.

5 I propose that we recess for the evening. Is there
6 any objection to that?

7 MR. COHEN: Not from the defense.

8 MR. MOOMAU: No, Your Honor.

9 THE COURT: I'm going to have to admonish them
10 again, and this time tell them that they can't read anything,
11 listen to any radio broadcast or any newscast, and that they
12 can't converse with anyone about anything that took place in
13 the trial today, and that they can't conduct any of their --
14 even though they've not been sworn, they can't conduct any of
15 their own investigation into the crime scene, etc., etc.

16 Is there anything else you want me to say?

17 MR. STARR: Are you going to dismiss the people who
18 have been struck for cause?

19 THE COURT: Would you like me to? We might as
20 well.

21 MR. MOOMAU: Yes.

22 MR. COHEN: Yes.

23 THE COURT: Let's make sure that we're all on the
24 same page. Juror number 30?

25 MR. STARR: Yes.

1 MR. WRIGHT: Yes.

2 THE COURT: By agreement of the parties, that juror
3 is struck for cause. Juror number 31?

4 MR. COHEN: Yes.

5 MR. MOOMAU: Yes.

6 THE COURT: By agreement of the parties, that juror
7 is stricken for cause. Juror number 36?

8 MR. COHEN: Yes.

9 MR. WRIGHT: Yes.

10 THE COURT: By agreement of the parties, that juror
11 is stricken for cause. Juror number 43?

12 MR. WRIGHT: Yes.

13 MR. COHEN: Yes.

14 THE COURT: By agreement of the parties, that juror
15 is stricken for cause. Juror number 56?

16 MR. WRIGHT: Yes.

17 MR. COHEN: Yes.

18 THE COURT: By agreement of the parties, that juror
19 is stricken for cause. Juror number 61?

20 MR. COHEN: Yes.

21 MR. WRIGHT: Yes.

22 THE COURT: By agreement of the parties, that juror
23 is stricken for cause. Juror number 69?

24 MR. COHEN: Yes.

25 MR. WRIGHT: Yes.

1 THE COURT: By agreement of the parties, that juror
2 is stricken for cause. Juror number 93?

3 MR. COHEN: Yes.

4 MR. WRIGHT: Yes.

5 THE COURT: By agreement of the parties, that juror
6 is stricken for cause. Juror number 103?

7 MR. WRIGHT: Yes.

8 MR. COHEN: Yes.

9 THE COURT: By agreement of the parties, that juror
10 is stricken for cause. Juror number 108?

11 MR. COHEN: Yes.

12 MR. WRIGHT: Yes.

13 THE COURT: By agreement of the parties, that juror
14 is stricken for cause. Juror number 129?

15 MR. WRIGHT: Yes.

16 MR. COHEN: Yes.

17 THE COURT: By agreement of the parties, that juror
18 is stricken for cause.

19 THE DEPUTY CLERK: What number did you say?

20 THE COURT: Juror number 129. Juror number 135?

21 MR. WRIGHT: Yes.

22 MR. COHEN: Yes.

23 THE COURT: By agreement of the parties, that juror
24 is stricken for cause. Juror number 141?

25 MR. COHEN: Yes.

1 MR. WRIGHT: Yes.

2 THE COURT: By agreement of the parties, that juror
3 is stricken for cause. I skipped one. Number 139?

4 MR. COHEN: Yes.

5 MR. WRIGHT: Yes.

6 THE COURT: By agreement of the parties, that juror
7 is stricken for cause.

8 MR. COHEN: Your Honor, just one argument. Juror
9 number 13. She talked to -- when you asked the question
10 initially, she said I think I would, and then I would like to
11 say I could, but then she equivocated.

12 THE COURT: Correct.

13 MR. COHEN: And then she talked about anxiety
14 problems and not being able to sit because she was concerned
15 that her anxiety problems would kick in during the trial. So
16 at this point we make a motion for cause.

17 MR. MOOMAU: No objection.

18 THE COURT: Juror number 13, by agreement, is
19 stricken for cause.

20 MR. COHEN: And I think that's it, Your Honor.
21 Thank you.

22 THE COURT: State?

23 MR. WRIGHT: That's it.

24 (Counsel returned to trial tables and the following
25 ensued.)

1 THE COURT: Alright, ladies and gentlemen. The
2 following numbers that I'm going to call, you are excused
3 from jury service, and I would ask that you return to the
4 jurors' lounge and turn in your cards, please.

5 Jurors number 13, 30, 31, 36, 43, 56, 61, 69, 93,
6 103, 108, 129, 135, 139, and 141.

7 Juror number 96, are you here? Number 96? I have
8 your card. They won't let you out of the building or in the
9 building. Thank you, ma'am, I'm just returning it to you.
10 You have not been excused though.

11 Ladies and gentlemen, we are going to recess for
12 the evening, and I'm going to ask you all to return promptly,
13 as best as you can, not at 7:30 in the morning, but by 9:00
14 tomorrow morning to the main jury lounge. Sheila and the
15 other bailiffs will come to get you promptly at nine and
16 bring you back down into the courtroom so we can continue the
17 process. Don't raise your hands right now. Just let me
18 finish. You have to be here at nine. There isn't any and,
19 if or buts about it. You are required to be here. You have
20 to be here by nine in the morning. I apologize for that, but
21 that's the way it is.

22 I know that you've not heard anything about this
23 case other than the few comments that I have made. But,
24 during the course of the evening, you are not permitted to
25 speak to anybody about what you may have heard about any

1 aspect of this case from any source at any time, including
2 those things or questions that we asked you at the bench.
3 You can talk to no one about it, not your significant other,
4 your husbands or wives or any friends with whom you may come
5 in contact this evening.

6 You are also not permitted to read any newspaper
7 accounts. You are not permitted to watch any television
8 where any -- and we don't know, but any rendition or any
9 account may be given in any news media, television, radio,
10 newspaper, or anything. You can't listen to any of those
11 things, you can't read any of those things, and you have to
12 remain aloof from it and away from it.

13 You are also not permitted to conduct any
14 investigation of your own. And what I mean by that is you're
15 not permitted -- and you laugh. People have done it. That's
16 why I'm telling you. You are not permitted to drive to the
17 scene of the alleged crime. You are not permitted to go on
18 the internet to see if there is anything you can find out
19 about what may have been reported about this. And you are
20 not to involve yourself in any way in reading anything about
21 any of the issues that may be involved in this case
22 whatsoever.

23 And I know that you don't -- I know that you won't
24 and I know that you don't, but I have to advise you of that.
25 This is the first question I'm going to ask you when you

1 return in the morning.

2 Now, with all those admonitions, again, we realize
3 how time consuming this is. We realize about the
4 circumstances of it, of you all being in a crowded courtroom,
5 and we appreciate your time very much.

6 With that, you're excused for the evening and
7 please report back promptly at nine o'clock in the morning to
8 the main jurors' lounge.

9 (The jury panel was excused for the evening at
10 5:10 p.m.)

11 THE COURT: Counsel, we have somebody who is asking
12 to come up. Want to come up to the bench, please. One
13 moment. Let me get everybody up here first.

14 (Counsel approached the bench and the following
15 ensued.)

16 THE COURT: Yes, sir, your juror number, please?

17 JUROR NO. 66: Sixty-six.

18 THE COURT: Yes, sir.

19 JUROR NO. 66: Primary elections are tomorrow. How
20 are we supposed to vote?

21 THE COURT: I can't tell you that.

22 JUROR NO. 66: So are we not permitted to vote
23 because we have to be here?

24 THE COURT: Don't ask me that question like that,
25 sir. You're required to be in here for jury service and, I

1 mean, I'm not not permitting you to vote, but I'm asking you
2 to come in at nine o'clock because we have a long way to go.
3 And when you're excused for lunch, you can vote. I'll give a
4 little bit more time during the luncheon recess, if that's --

5 JUROR NO. 66: My voting is in Riverdale, Maryland.
6 How am I going to get there in time and come back in time?

7 THE COURT: Alright, folks. What do you want to do
8 about this?

9 MR. MOOMAU: The poles close at seven; don't they?

10 MR. WRIGHT: Eight, actually.

11 MR. MOOMAU: I anticipate we'll be done no later
12 than five tomorrow.

13 THE COURT: We're not going past five, if that's of
14 any help to you.

15 MR. MOOMAU: That's when I'm planning on voting.

16 THE COURT: There's not much we can do under the
17 circumstances. That is probably the best we can do. I know
18 that we're not -- like today, we're not going to go beyond
19 five o'clock. Should that give you enough time to do it?

20 JUROR NO. 66: For tomorrow? I hope so.

21 THE COURT: Well, I hope so too. I mean it's a 25
22 minute drive from here to Riverdale, I believe.

23 JUROR NO. 66: No, not with traffic. It's going to
24 be close to 45 minutes to an hour. Five o'clock is rush
25 hour.

1 THE COURT: Well, okay. I go that way. So you may
2 be right. But I think you're going to get there in plenty of
3 time because they don't close until seven. I guess that's
4 about all we're going to be able to do. I wish I could tell
5 you differently.

6 THE BAILIFF: We have three people that would like
7 to talk to you.

8 THE COURT: Okay. One at a time.

9 THE BAILIFF: Number 131.

10 JUROR NO. 131: I know you requested everybody to
11 be here, but I am a full-time student.

12 THE COURT: You're juror number 131?

13 JUROR NO. 131: Yes. And I really can't afford to
14 miss class. Is there any way that --

15 THE COURT: Ma'am, I'm sorry. There is absolutely
16 nothing we can do about that. You've been called to jury
17 service. I can contact your professor. I'm a professor at
18 the University of Maryland, so I can contact your professor,
19 if you give me the telephone number.

20 JUROR NO. 131: I go to Maryland as well.

21 THE COURT: Do you have a telephone number and the
22 name of the professor or e-mail?

23 JUROR NO. 131: Well, actually, it's two professors
24 that I would have to talk to.

25 THE COURT: The only thing I can do is to e-mail

1 them or to call them to tell them.

2 JUROR NO. 131: One is professor Gaston. He's a
3 criminology professor.

4 THE COURT: Do you have any contact information for
5 him?

6 JUROR NO. 131: I don't have it with me.

7 THE COURT: Well, I mean going on and finding how
8 to get a hold of him may be difficult. Do you have any
9 contact information?

10 JUROR NO. 131: Not with me right now.

11 THE COURT: I don't know what to tell you. You are
12 required to come back in tomorrow. If you can bring me the
13 contact information tomorrow, an e-mail or telephone number,
14 I'll have my chambers contact him immediately.

15 JUROR NO. 131: Okay.

16 THE COURT: Thank you.

17 THE BAILIFF: Number 77.

18 THE COURT: You are juror number 77, ma'am?

19 JUROR NO. 77: Yes. My only dilemma is I'm
20 scheduled for court here tomorrow. I just want to know if I
21 can move between the two? I don't know how -- I mean, I
22 can't not show up for one or the other.

23 THE COURT: You're scheduled for?

24 JUROR NO. 77: A child support hearing.

25 MR. WRIGHT: Could we ask what time that is?

1 JUROR NO. 77: I don't have the paperwork with me.
2 I can look at it. I mean, I'll bring everything with me
3 tomorrow. I know once we come in, we not allowed to leave
4 out.

5 THE COURT: Anybody have any suggestions?

6 JUROR NO. 77: I got to come down regardless in the
7 morning, so I'll have the paperwork and everything with me.

8 MR. COHEN: E-mail the information to chambers and
9 maybe they could call.

10 THE COURT: Bring whatever paperwork you have in
11 tomorrow, and if it includes the court, so we'll try to make
12 some arrangements if we can.

13 JUROR NO. 77: Okay.

14 THE BAILIFF: And number 47.

15 JUROR NO. 47: Good afternoon. I'm scheduled to go
16 to a burial at Arlington tomorrow, and I'm scheduled to have
17 two medical procedures. They need to confirm that my
18 antirejection medication levels are correct.

19 THE COURT: This is on the kidney transplant?

20 JUROR NO. 47: For my kidney transplant.

21 THE COURT: And this is all for tomorrow?

22 JUROR NO. 47: That's on Wednesday. And then next
23 week I have some other surgeries scheduled.

24 MR. COHEN: No objection, Your Honor.

25 MR. WRIGHT: No objection.

1 THE COURT: By agreement of the parties, you are
2 excused from jury service as a result of the medical
3 procedures.

4 JUROR NO. 47: Thank you.

5 THE COURT: Forty-seven is excused by agreement of
6 the parties.

7 We're off the record now.

8 (The trial was recessed at 5:15 p.m.)

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REPORTER'S CERTIFICATE

I, Cindy S. Davis, an Official Court Reporter for the Circuit Court for Prince George's County, Maryland, do hereby certify that I stenographically recorded the proceedings in State of Maryland versus Keith A. Washington, criminal trial 07-1664X, on February 11, 2008, before the Honorable Michael P. Whalen, Associate Judge.

I further certify that the page numbers 1 through 335 constitute an official transcript of the proceedings as transcribed by me from my stenographic notes to the within typewritten matter in a complete and accurate manner.

In Witness Whereof, I have affixed my signature this 25th day of April, 2008.

Cindy S. Davis, RPR

Official Court Reporter