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UNITED STATES OF AMERICA

9 UNITED STATES DISTRICT COURT
10 FOR THE CENTRAL DISTRICT OF CALIFORNIA

11
12 UNITED STATES OF AMERICA,) No. ED CR 07-127(A) -SGL
13)
Plaintiff,) GOVERNMENT'S PROPOSED VOIR
14) DIRE QUESTIONS
v.)
15 JOSE LUIS NAZARIO, JR.,)
16)
Defendant.) Trial Date: August 19, 2008
Trial Time: 9:30 a.m.
17)

18 Plaintiff, United States of America, through its counsel of
19 record, Assistant United States Attorneys Jerry A. Behnke and
20 Charles J. Kovats, hereby submit the following proposed jury voir
21 dire questions.

22 DATED: August 14, 2008 Respectfully submitted,

23 THOMAS P. O'BRIEN
United States Attorney

24 /s/

25 _____
26 JERRY A. BEHNKE
CHARLES J. KOVATS
Assistant United States Attorneys

27 Attorneys for Plaintiff
28 United States of America

1 reach a verdict in this case?

2 5. Do you feel that rules of law do not apply to the
3 actions of our military forces in combat?

4 6. Do you feel that whether or not the laws of war apply
5 depends upon who the enemy is? For instance, do you believe that
6 laws of war should be suspended when our military is fighting
7 insurgents?

8 7. Do you feel that soldiers or Marines should be allowed
9 to kill unresisting detainees under their control? If so, if you
10 learn that the law prohibits the killing of unresisting
11 detainees, would you be able to follow and apply that law in
12 spite of your personal beliefs? Would you feel differently if
13 the detainees had been firing on American forces before they were
14 captured?

15 8. Do you believe that military members must follow any
16 order they receive, even if the order is unlawful?

17 9. Would you have any difficulty sitting in judgment of
18 the actions of our armed forces during combat? If so, why?

19 10. Have you occupied any leadership positions? This
20 includes leadership positions in work, social groups, clubs, or
21 other organizations. If so:

22 (A) What was the position?

23 (B) When did you have that position?

24 11. Have you had any negative experiences with law
25 enforcement? If so:

26 (A) Describe the nature of the experience.

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1 (B) Will that prior experience make it difficult for
2 you to fairly judge testimony from a law enforcement witness?

3 12. Have you served on a jury before? If so:

4 (A) Was it a criminal case, civil case, or a grand
5 jury? For criminal cases:

6 (i) What type of case was it?

7 (ii) Did the jury reach a verdict?

8 (iii) Were you the foreperson?

9 (B) Is there anything about your prior service that
10 would make it difficult for you to serve as a juror in this case?

11 13. Do you hold any religious or moral beliefs or values
12 that might make it difficult for you to sit in judgment of
13 another person?

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