

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA)
)
VS.) CASE NO. 2:10cr00186-MHT-WC
)
JOSEPH R. CROSBY)

DEFENDANT JOSEPH R. CROSBY’S REQUESTED JURY VOIR DIRE

Defendant Joseph R. Crosby, by and through counsel, requests that the Court propound the following questions to potential jurors in the trial of the above styled action:

1. Have any of you read or heard anything about this case and the criminal charges in this case? What have you read or heard?¹

2. Have you heard this case talked about at all? What have you heard? What did you say? Did anyone express an opinion as anyone’s guilt or innocence? Did anyone say what should happen to that person?²

3. Have you ever worked for a state, local or federal prosecutor’s office?

4. Have you or has any member of your immediate family, or any close personal friend ever been connected with the Alabama Bureau of Investigation? If so, who and how?

5. Have you or has any member of your immediate family, or any close personal friend ever been connected with the Federal Bureau of Investigation? If so, who and how?

¹ Defendant Crosby submits that these follow-up questions should be asked of those venire members responding in the affirmative outside of the hearing of the other venire members.

² Defendant Crosby submits that these follow-up questions should be asked of those venire members responding in the affirmative outside of the hearing of the other venire members.

6. Have you or has any member of your immediate family, or any close personal friend been contacted about this case by any agent of the FBI, ABI, Department of Justice or United States Attorney's office or other person obviously representing their interests?

7. Do any of you know any of the prosecutors? How do you know her or him?

8. Do any of you know anyone else who works in the United States Attorney's office? Who do you know? How do you know him or her?

9. Do any of you believe that if the prosecution goes to the trouble of bringing someone to trial, the person is probably guilty?

10. Would the fact that a defendant was indicted and arrested in this case interfere with your ability to presume him or her innocent?

12. Is there anyone who would be unable to accept and conscientiously, sincerely and wholeheartedly apply the rule of law that a defendant is presumed innocent and cannot be convicted in this case unless the jury is convinced that he or she is guilty beyond a reasonable doubt?

13. Do any of you believe that defendants in criminal trials should have to prove that they are innocent?

14. Is there anyone who does not understand that under the Constitution the Government must establish the guilt of the defendant, as to each and every element of the crime charged, beyond a reasonable doubt, and that if the government fails to do so, it is your sworn duty to find the defendant not guilty?

15. Does the mere fact that there are a number of defendants cause any of you to believe that the defendants are probably guilty?

16. Would the presence of multiple defendants lead any of you to believe that if one defendant is guilty they all must be guilty?

17. Do any of you know: (List of persons will be provided by parties)

18. Does the fact that an individual is employed as a law enforcement agent cause you to believe that solely because of that individual's employment he is more credible or more believable than other witnesses and that his testimony is to be given greater weight than witnesses who are not employed as law enforcement agents?

19. Do any of you have such strong feelings against gaming that you think you might not be able to be fair in a case involving gaming?

20. Do any of you have such strong feelings against politicians, lobbyists, or politics that you think you might not be able to be fair in a case involving politicians, lobbyists and politics?

s/ Thomas M. Goggans
Ala State Bar No. 2222-S45T
2030 East Second Street
Montgomery AL 36106
PH: 334.834.2511
FX: 334.834.2512
e-mail: tgoggans@tgoggans.com

Attorney for Defendant
Joseph R. Crosby

CERTIFICATE OF SERVICE

I hereby certify that I have on this the 23d day of May, 2011, electronically filed this document with the Clerk of the Court using the CM/ECF system which will send notification to all counsel of record.

s/ Thomas M. Goggans
Ala State Bar No. 2222-S45T
2030 East Second Street
Montgomery AL 36106
PH: 334.834.2511
FX: 334.834.2512
e-mail: tgoggans@tgoggans.com

Attorney for Defendant
Joseph R. Crosby