

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF PUERTO RICO

3  
4 UNITED STATES OF AMERICA, CASE NO.: 21-CR-00161-PAD

5 Plaintiff,

6 v. HATO REY, PUERTO RICO

7 FELIX VERDEJO-SANCHEZ, JULY 28, 2023

8 Defendant. FRIDAY - 9:00 A.M.

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10 EXCERPT OF JURY TRIAL PROCEEDINGS  
11 BEFORE THE HONORABLE JUDGE PEDRO A. DELGADO-HERNANDEZ  
12 UNITED DISTRICT COURT JUDGE, DISTRICT OF PUERTO RICO

13 **APPEARANCES :**

14 FOR THE UNITED STATES OF AMERICA:

15 AUSA Jonathan L. Gottfried  
16 AUSA Jeanette M. Collazo-Ortiz

17 FOR THE DEFENDANT:

18 Jason Gonzalez-Delgado, Esq.  
19 Gabriela Jose Cintron-Colon, Esq.

20 COURT INTERPRETERS:

21 Mr. Jose Luis Rosado

## P-R-O-C-E-E-D-I-N-G-S

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3 **THE COURT:** I am going to instruct you to go back  
4 and resume your deliberations. I will explain why and give  
5 you further instructions.

6 In trials, absolute certainty can be neither  
7 expected nor attained. You should consider that you are  
8 selected in the same manner and from the same source as any  
9 future Jury would be selected. There is no reason to suppose  
10 that this case would ever be submitted to 12 men and women  
11 more intelligent, more impartial and more competent to decide  
12 it than you, or that more or clearer evidence would be  
13 produced in the future. Thus, it is your duty to decide the  
14 case, if you can conscientiously do so without violence to  
15 your individual judgment.

16 The verdict to which a juror agrees must, of course,  
17 be his or her own verdict, the result of his or her own  
18 convictions, and not a mere acquiescence in the conclusion of  
19 his or her fellow jurors. Yet, in order to bring 12 minds to  
20 a unanimous result, you must examine the questions submitted  
21 to you with an open mind and with proper regard for, and  
22 deference to, the opinion of the other jurors.

23 In conferring together you ought to pay proper  
24 respect to each other's opinions and you ought to listen with  
25 an open mind to being convinced by each other's arguments.

1 Thus, where there is disagreement, jurors favoring acquittal  
2 should consider whether a doubt in their own mind is a  
3 reasonable one when it makes no impression upon the minds of  
4 the other equally honest and intelligent jurors who have  
5 heard the same evidence with the same degree of attention and  
6 with the same desire to arrive at the truth under the  
7 sanction of the same oath.

8 On the other hand, jurors favoring conviction ought  
9 seriously to ask themselves whether they should not distrust  
10 the weight or the sufficiency of evidence which fails to  
11 dispel reasonable doubt in the minds of the other jurors.

12 Not only should jurors in the minority re-examine  
13 their positions, but jurors in the majority should do so  
14 also, to see whether they have given careful consideration  
15 and sufficient weight to the evidence that has favorably  
16 impressed the persons in disagreement with them.

17 Burden of proof is a legal tool for helping you  
18 decide. The law imposes upon the prosecution a high burden  
19 of proof. The prosecution has the burden to establish, with  
20 respect to each count, each essential element of the offense,  
21 and to establish that essential element beyond a reasonable  
22 doubt. And if with respect to any element of any count, you  
23 are left in reasonable doubt, the defendant is entitled to  
24 the benefit of such doubt and must be acquitted.

25 It is your duty to decide the case if you can

1 conscientiously do so without violence to your individual  
2 judgment. It is also your duty to return a verdict on any  
3 counts as to which all of you agree, even if you cannot agree  
4 on all counts. But if you cannot agree, it is your right to  
5 fail to agree.

6 I now instruct you to go back and resume your  
7 deliberations. If despite these instructions, you can not  
8 reach a unanimous agreement on each count, I am instructing  
9 you as follows:

10 On the counts you have reached a unanimous  
11 agreement, fill in the verdict form for those counts.

12 On the counts you can not reach a unanimous  
13 agreement, you should leave it in blank and write next to it,  
14 "No Agreement."

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