

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI

UNITED STATES OF AMERICA)

Plaintiff)

v.)

ROBERT L. BOLDEN, SR.,)

Defendant.)

No. S1-4:02CR557 CEJ

SPECIAL VERDICT FORM

COUNT II: ATTEMPT TO ROB THE BANK OF AMERICA RESULTING IN THE
DEATH OF NATHAN LEY

SECTION I. AGE OF THE DEFENDANT

Instructions: Answer "YES" or "NO." Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that:

Robert L. Bolden, Sr. was eighteen years of age or older at the time of the offense?

YES X

NO

Instructions: If you answered "NO" with respect to the determination in this section, then stop your deliberations, cross out Sections II, III, IV, V and VI of this form, and proceed to Section VII. Each juror should then carefully read the statement in Section VII, and sign in the appropriate place if the statement accurately reflects the manner in which he or she reached his or her decision. You should then advise the court that you have reached a decision.

If you answered "YES" with respect to the determination in this Section I, proceed to Section II which follows.

SECTION II. REQUISITE MENTAL STATE

Instructions: For each of the following, answer "YES" or "NO."

(A) Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that Robert L. Bolden, Sr. intentionally killed the victim Nathan Ley?

YES X

NO _____

(B) Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that Robert L. Bolden, Sr. intentionally inflicted serious bodily injury which resulted in the death of the victim Nathan Ley?

YES X

NO _____

(C) Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that Robert L. Bolden, Sr. intentionally participated in an act, contemplating that the life of a person would be taken or intending that lethal force would be used in connection with a person, other than one of the participants in the offense, and the victim Nathan Ley died as a direct result of the act?


YES X

NO _____

(D) Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that Robert L. Bolden, Sr. intentionally and specifically engaged in an act of violence, knowing that the act created a grave risk of death to a person, other than one of the participants in the offense, such that participation in the act constituted a reckless disregard for human life and the victim Nathan Ley died as a direct result of the act?

YES X

NO



Instructions: If you answered "NO" with respect to all of the determinations in this section, then stop your deliberations, cross out Sections III, IV, V and VI of this form, and proceed to Section VII. Each juror should carefully read the statement in Section VII, and sign in the appropriate place if the statement accurately reflects the manner in which he or she reached his or her decision. You should then advise the court that you have reached a decision.

If you answered "YES" with respect to one or more of the determinations in this Section II, proceed to Section III which follows.

SECTION III. STATUTORY AGGRAVATING FACTORS

Instructions: For each of the following, answer "YES" or "NO."

1. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that the defendant committed the killing of Nathan Ley as charged in Count II of the indictment in the expectation of the receipt of anything of pecuniary value?

YES X

NO



2. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that the defendant had previously been convicted of two State offenses punishable by a term of imprisonment of more than one year, committed on different occasions, involving the distribution of a controlled substance?

YES X

NO _____

Instructions: If you answered "NO" with respect to all of the Statutory Aggravating Factors in this Section III, then stop your deliberations, cross out Sections IV, V and VI of this form, and proceed to Section VII of this form. Each juror should then carefully read the statement in Section VII, and sign in the appropriate place if the statement accurately reflects the manner in which he or she reached his or her decision. You should then advise the court that you have reached a decision.

If you found the requisite age in Section I, the requisite mental state in Section II and answered "Yes" with respect to one or more of the aggravating factors in this Section III, proceed to Section IV which follows.

SECTION IV. NON-STATUTORY AGGRAVATING FACTORS

Instructions: For each of the following, answer "YES" or "NO".

1. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that the defendant obstructed justice in connection with the offense in Count II and that fact tends to support imposition of the death penalty?

YES X

NO _____

2. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that the defendant has committed crimes other than the two (2) alleged State offenses which are the subject of the second statutory aggravator and the commission of said crimes tends to support imposition of the death penalty?

YES X

NO

3. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that Nathan Ley possessed positive personal characteristics as an individual human being, that Nathan Ley's death has had a negative impact upon his family and that the victim impact in this case tends to support imposition of the death penalty?

YES X

NO

Instructions: Regardless of whether you answered "YES" or "NO" with respect to the Non-Statutory Aggravating Factors in this Section IV, proceed to Section V, which follows.

SECTION V. MITIGATING FACTORS

Instructions: For each of the following mitigating factors, indicate, in the space provided, the number of jurors who have found the existence of that mitigating factor to be proven by a preponderance of the evidence

A finding with respect to a mitigating factor may be made by one or more of the members of the jury, and any member of the jury who finds the existence of a mitigating factor may consider such a factor established in considering whether or not a sentence of death shall be imposed, regardless of the number of other jurors who agree that the factor has been established. Further, any juror may also weigh a mitigating factor found by another juror, even if he or she did not also find that factor to be mitigating:

1. Another defendant or defendants, equally culpable in the crime, will not be punished by death and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 0.

2. Robert Bolden, while incarcerated, maintains a supportive and positive role in his family and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 4.

3. Robert Bolden will be able to continue and develop his relationship with his daughter Ariel and his son Robert Bolden, Jr. and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 8.

4. The fact that Dominick Price will not receive a sentence of death nor a sentence of life imprisonment without the possibility of release is a circumstance which weighs against a sentence of death for Robert Bolden and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 0.

5. The fact that Corteze Edwards will not receive a sentence of death nor a sentence of life imprisonment without the possibility of release is a circumstance which weighs against a sentence of death for Robert Bolden and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 0.

6. The children and family of Robert Bolden love him and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 8.

7. Robert Bolden remains involved in and positively contributes to the lives of his children, friends and family and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 2.

8. Robert Bolden has demonstrated the ability to make a positive adjustment to incarceration and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 1.

9. Robert Bolden has demonstrated the ability to make a positive contribution to others while incarcerated and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 0.

10. Robert Bolden has been a positive role model to other inmates while incarcerated and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 0.

11. The presence of mental or emotional difficulties, while not extreme, relate to Robert Bolden's character and background and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 1.

12. Robert Bolden has shown sincere remorse about Nathan Ley's death and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 0.

13. Robert Bolden was a loving father to his children and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 0.

14. Robert Bolden, as a child, witnessed acts of domestic violence between Ethel and Elmer Clark and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 2.

15. Robert Bolden's biological mother was an alcoholic and verbally abusive to him and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 0.

16. Robert Bolden's biological mother abandoned him and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 5.

17. Lavelle Bolden refused to accept Robert Bolden as his son when he was a teenager and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 1.

18. When young, Robert Bolden felt isolated from the Bolden family because he was not biologically related to them and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 1.

19. Leading up to the day of the offense, Robert Bolden suffered from a drug addiction and appeared depressed and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 3.

20. From infancy, Robert Bolden suffered numerous diabetic episodes causing disruptions in his life and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 8.

21. Robert Bolden was usually gainfully employed and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 0.

22. Robert Bolden was interested and involved in his children's lives and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 2.

23. Robert Bolden, Jr. relies on his father for advice and counsel and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 8.

24. Robert Bolden lacked a positive male role model during his childhood and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 3.

25. Robert Bolden tried to shield his children from his crack addiction and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find Ø.

26. Robert Bolden was baptized in the St. Louis County Correctional Institution and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 1Ø.

27. Robert Bolden sought communion while incarcerated and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 8.

28. Robert Bolden participates in group studies of the Bible with other inmates and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 11.

29. Jail ministers found it rewarding to work with Robert Bolden and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 11.

30. Robert Bolden has been a serious student in his Bible studies related to the Set Free Ministries Bible Study Program and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 4.

31. Robert Bolden has experienced spiritual growth while incarcerated and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 1.

32. Robert Bolden is a spiritual leader in the St. Louis County Correctional Institution and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 0.

Other factors in Robert Bolden's background, record, character, or any other circumstance of the offense that mitigate against the imposition of the death sentence and that fact tends to mitigate against imposition of the death penalty. Write in the additional mitigating factor(s), if any, found by any one or more jurors. If none, write "NONE" and line out the extra spaces with a large "X." If more space is needed, write "CONTINUED" and use the reverse side of this page.

None and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find N/A.

None and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find N/A.

Instructions: Proceed to Section VI and Section VII which follow.

SECTION VI. DETERMINATION

Based upon consideration of whether the aggravating factors found to exist sufficiently outweigh any mitigating factor or factors found to exist, or in the absence of any mitigating factors, whether the aggravating factors are themselves sufficient to justify a sentence of death, and whether death is therefore the appropriate sentence in this case:

A. Death Sentence

We determine, by unanimous vote, that a sentence of death shall be imposed.

YES X

NO _____

If you answer "YES," the foreperson must sign here, and you must then proceed to Section VII. If you answer "NO," the foreperson must sign, and you must then proceed to Section VI(B):

Date: May 23, 2006

B. Sentence of Life in Prison Without Possibility of Release

We determine, by unanimous vote, that a sentence of life imprisonment without possibility of release shall be imposed.

YES _____

NO _____

If you answer "YES," the foreperson must sign here, and then you must proceed to Section VII. If you answer "NO," the foreperson must sign, and you must proceed to Section VI(C) :

FOREPERSON

Date: _____, _____

SECTION VII. CERTIFICATION

By signing below, each juror certifies that consideration of the race, color, religious beliefs, national origin, or sex of the defendant or the victim was not involved in reaching his or her individual decision, and that the individual juror would have made the same recommendation regarding a sentence for the crime or crimes in question regardless of the race, color, religious beliefs, national origin, or sex of the defendant, or the victim.



FOREPERSON

Date: May 23, 2006

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI

UNITED STATES OF AMERICA

Plaintiff

Y.

ROBERT L. BOLDEN, SR.,

Defendant.

No. S1-4:02CR557 CEJ

SPECIAL VERDICT FORM

**COUNT III: USING, CARRYING, BRANDISHING AND DISCHARGING A FIREARM
DURING CRIME OF VIOLENCE TO MURDER NATHAN LEY**

SECTION I. AGE OF THE DEFENDANT

Instructions: Answer "YES" or "NO." Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that:

Robert L. Bolden, Sr. was eighteen years of age or older at the time of the offense?

YES X

NO _____

Instructions: If you answered "NO" with respect to the determination in this section, then stop your deliberations, cross out Sections II, III, IV, V and VI of this form, and proceed to Section VII. Each juror should then carefully read the statement in Section VII, and sign in the appropriate place if the statement accurately reflects the manner in which he or she reached his or her decision. You should then advise the court that you have reached a decision.

If you answered "YES" with respect to the determination in this Section I, proceed to Section II which follows.

SECTION II. REQUISITE MENTAL STATE

Instructions: For each of the following, answer "YES" or "NO."

(A) Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that Robert L. Bolden, Sr. intentionally killed the victim Nathan Ley?

YES X

NO

(B) Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that Robert L. Bolden, Sr. intentionally inflicted serious bodily injury which resulted in the death of the victim Nathan Ley?

YES X

NO

(C) Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that Robert L. Bolden, Sr. intentionally participated in an act, contemplating that the life of a person would be taken or intending that lethal force would be used in connection with a person, other than one of the participants in the offense, and the victim Nathan Ley died as a direct result of the act?

YES X

NO

(D) Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that Robert L. Bolden, Sr. intentionally and specifically engaged in an act of violence, knowing that the act created a grave risk of death to a person, other than one of the participants in the offense, such that participation in the act constituted a reckless disregard for human life and the victim Nathan Ley died as a direct result of the act?

YES X

NO _____

Instructions: If you answered "NO" with respect to all of the determinations in this section, then stop your deliberations, cross out Sections III, IV, V and VI of this form, and proceed to Section VII. Each juror should carefully read the statement in Section VII, and sign in the appropriate place if the statement accurately reflects the manner in which he or she reached his or her decision. You should then advise the court that you have reached a decision.

If you answered "YES" with respect to one or more of the determinations in this Section II, proceed to Section III which follows.

SECTION III. STATUTORY AGGRAVATING FACTORS

Instructions: For each of the following, answer "YES" or "NO."

1. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that the defendant committed the murder of Nathan Ley as charged in Count III of the indictment in the expectation of the receipt of anything of pecuniary value?

YES X

NO _____

2. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that the defendant had previously been convicted of two State offenses punishable by a term of imprisonment of more than one year, committed on different occasions, involving the distribution of a controlled substance?

YES X

NO _____

Instructions: If you answered "NO" with respect to all of the Statutory Aggravating Factors in this Section III, then stop your deliberations, cross out Sections IV, V and VI of this form, and proceed to Section VII of this form. Each juror should then carefully read the statement in Section VII, and sign in the appropriate place if the statement accurately reflects the manner in which he or she reached his or her decision. You should then advise the court that you have reached a decision.

If you found the requisite age in Section I, the requisite mental state in Section II and answered "Yes" with respect to one or more of the aggravating factors in this Section III, proceed to Section IV which follows.

SECTION IV. NON-STATUTORY AGGRAVATING FACTORS

Instructions: For each of the following, answer "YES" or "NO.":

1. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that the defendant obstructed justice in connection with the offense in Count II and that fact tends to support imposition of the death penalty?

YES X

NO _____

2. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that the defendant has committed crimes other than the two (2) alleged State offenses which are the subject of the second statutory aggravator and the commission of said crimes tends to support imposition of the death penalty?

YES X

NO _____

3. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that Nathan Ley possessed positive personal characteristics as an individual human being, that Nathan Ley's death has had a negative impact upon his family and that the victim impact in this case tends to support imposition of the death penalty?

YES X

NO _____

Instructions: Regardless of whether you answered "YES" or "NO" with respect to the Non-Statutory Aggravating Factors in this Section IV, proceed to Section V, which follows.

SECTION V. MITIGATING FACTORS

Instructions: For each of the following mitigating factors, indicate, in the space provided, the number of jurors who have found the existence of that mitigating factor to be proven by a preponderance of the evidence

A finding with respect to a mitigating factor may be made by one or more of the members of the jury, and any member of the jury who finds the existence of a mitigating factor may consider such a factor established in considering whether or not a sentence of death shall be imposed, regardless of the number of other jurors who agree that the factor has been established. Further, any juror may also weigh a mitigating factor found by another juror, even if he or she did not also find that factor to be mitigating:

1. Another defendant or defendants, equally culpable in the crime, will not be punished by death and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find Ø.

2. Robert Bolden, while incarcerated, maintains a supportive and positive role in his family and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 4.

3. Robert Bolden will be able to continue and develop his relationship with his daughter Ariel and his son Robert Bolden, Jr. and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 8.

4. The fact that Dominick Price will not receive a sentence of death nor a sentence of life imprisonment without the possibility of release is a circumstance which weighs against a sentence of death for Robert Bolden and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find Ø.

5. The fact that Corteze Edwards will not receive a sentence of death nor a sentence of life imprisonment without the possibility of release is a circumstance which weighs against a sentence of death for Robert Bolden and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find Ø.

6. The children and family of Robert Bolden love him and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 8.

7. Robert Bolden remains involved in and positively contributes to the lives of his children, friends and family and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 2.

8. Robert Bolden has demonstrated the ability to make a positive adjustment to incarceration and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 1.

9. Robert Bolden has demonstrated the ability to make a positive contribution to others while incarcerated and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 0.

10. Robert Bolden has been a positive role model to other inmates while incarcerated and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 0.

11. The presence of mental or emotional difficulties, while not extreme, relate to Robert Bolden's character and background and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 1.

12. Robert Bolden has shown sincere remorse about Nathan Ley's death and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 0.

13. Robert Bolden was a loving father to his children and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 0.

14. Robert Bolden, as a child, witnessed acts of domestic violence between Ethel and Elmer Clark and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 2.

15. Robert Bolden's biological mother was an alcoholic and verbally abusive to him and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 0.

16. Robert Bolden's biological mother abandoned him and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 5.

17. Lavelle Bolden refused to accept Robert Bolden as his son when he was a teenager and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 1.

18. When young, Robert Bolden felt isolated from the Bolden family because he was not biologically related to them and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 1.

19. Leading up to the day of the offense, Robert Bolden suffered from a drug addiction and appeared depressed and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 3.

20. From infancy, Robert Bolden suffered numerous diabetic episodes causing disruptions in his life and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 8.

21. Robert Bolden was usually gainfully employed and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 0.

22. Robert Bolden was interested and involved in his children's lives and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 2.

23. Robert Bolden, Jr. relies on his father for advice and counsel and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 8.

24. Robert Bolden lacked a positive male role model during his childhood and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 3.

25. Robert Bolden tried to shield his children from his crack addiction and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 0.

26. Robert Bolden was baptized in the St. Louis County Correctional Institution and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 10.

27. Robert Bolden sought communion while incarcerated and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 8.

28. Robert Bolden participates in group studies of the Bible with other inmates and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 11.

29. Jail ministers found it rewarding to work with Robert Bolden and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 11.

30. Robert Bolden has been a serious student in his Bible studies related to the Set Free

Ministries Bible Study Program and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 4.

31. Robert Bolden has experienced spiritual growth while incarcerated and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 1.

32. Robert Bolden is a spiritual leader in the St. Louis County Correctional Institution and that fact tends to mitigate against imposition of the death penalty.

Number of jurors who so find 0.

Other factors in Robert Bolden's background, record, character, or any other circumstance of the offense that mitigate against the imposition of the death sentence and that fact tends to mitigate against imposition of the death penalty. Write in the additional mitigating factor(s), if any, found by any one or more jurors. If none, write "NONE" and line out the extra spaces with a large "X." If more space is needed, write "CONTINUED" and use the reverse side of this page.

None
_____ and that fact tends
to mitigate against imposition of the death penalty.

Number of jurors who so find N/A.

None

_____ and that fact tends
to mitigate against imposition of the death penalty.

Number of jurors who so find N/A.

Instructions: Proceed to Section VI and Section VII which follow.

SECTION VI. DETERMINATION

Based upon consideration of whether the aggravating factors found to exist sufficiently outweigh any mitigating factor or factors found to exist, or in the absence of any mitigating factors, whether the aggravating factors are themselves sufficient to justify a sentence of death, and whether death is therefore the appropriate sentence in this case:

A. Death Sentence

We determine, by unanimous vote, that a sentence of death shall be imposed.

YES X

NO _____

If you answer "YES," the foreperson must sign here, and you must then proceed to Section VII. If you answer "NO," the foreperson must sign, and you must then proceed to Section VI(B):

[Redacted Signature]

Date: May 23, 2006

B. Sentence of Life in Prison Without Possibility of Release

We determine, by unanimous vote, that a sentence of life imprisonment without possibility of release shall be imposed.

YES _____

NO _____

If you answer "YES," the foreperson must sign here, and then you must proceed to Section VII. If you answer "NO," the foreperson must sign, and you must proceed to Section VI(C) :

FOREPERSON

Date: _____, _____

C. Lesser Sentence.

We recommend, by unanimous vote, that a sentence less than death or life imprisonment without possibility of release shall be imposed.

YES _____

NO _____

If you answer "YES," the foreperson must sign here, and then you must proceed to Section VII:

FOREPERSON

Date: _____, _____

SECTION VII. CERTIFICATION

By signing below, each juror certifies that consideration of the race, color, religious beliefs, national origin, or sex of the defendant or the victim was not involved in reaching his or her individual decision, and that the individual juror would have made the same recommendation regarding a sentence for the crime or crimes in question regardless of the race, color, religious beliefs, national origin, or sex of the defendant or the victim.

Date: May 23, 2006