IN THE UNITED STATES DISTRICT COURT OF FICE U.S. DIST. COURT FOR THE WESTERN DISTRICT OF VIRGINIAT ABINGDON VA. ABINGDON DIVISION

UNITED STATES OF AMERICA	JOHN E CORCORAN CLERK BY: DEBUTY CLERK
v.) Case No. 1:00CR00104
SAMUEL STEPHEN EALY,) VERDICT) (Robert Davis – Count Two)
Defendant.)

Part A

Do you unanimously find that the government has proved beyond a reasonable doubt one of the following first category statutory aggravating factors?

- (1) The defendant intentionally killed the victim; or
- (2) The defendant intentionally inflicted serious bodily injury that resulted in the death of the victim; or
- (3) The defendant intentionally engaged in conduct intending that the victim be killed or that lethal force be employed against the victim, which resulted in the death of the victim; or
- (4) The defendant intentionally engaged in conduct which he knew would create a grave risk of death to a person, other than one of the participants in the offense, and which resulted in the death of the victim.

/	
Yes	No

Please continue to Part B if you answered "yes." Otherwise, stop your deliberations now and sign and date the bottom of this form.

Part B

	Do you unani	mously find the	at the gov	ernment h	nas proved	l beyond a re	asonable
doubt	the existence	of the followir	ig second	category	statutory	aggravating	factors?

(1)		the intentional killing as consideration n of the receipt of cocaine or cash, or b	
	Yes	No	
(2)	Samuel Ealy committed planning and premeditat	the intentional killing after substantial ion.	
	Yes	No	
		you answered "yes" to at least one perations now and sign and date the bo	
		Part C	
	•	ne government has proved beyond a reas non-statutory aggravating factors?	onable

No

Yes

(3)	Samuel Ealy murdered al criminal episode.	I three members of the Davis family in a s	single
	Yes	No	
Reg continue to		vered "yes" or "no" to these questions, p	lease
		Part D	
	s <u>any juror</u> find that the det he following mitigating fac	fendant has proved by a preponderance of tors?	of the
(1)		qually culpable of the murders of the I hed by death because he is mentally retai	
	Yes	No	
(2)	Samuel Ealy has no histo	ory of violence at any point in his life.	
	Yes	·No	
(3)	Samuel Ealy is a good fa	ther and step-father.	
	Yes	No	
(4)	Samuel Ealy is a good so	on.	
	Yes	No	

(5)	Samuel Ealy is a good, reand well-liked by his bos	esponsible worker. His is trusted, respected and co-workers.
	Yes	No
(6)	Samuel Stephen Ealy is w	vell-liked in his community.
	Yes	No
(7)	Samuel Ealy has voluntee offers of compensation or	ered help and community service and refused payment.
	Yes	No
(8)	Samuel Ealy was a quiet a	and respectful student.
	Yes	No
(9)		well to structured environments, i.e., ke an excellent adaptation to prison if he is not
	Yes	No
(10)	Samuel Ealy did not flee	from investigation, arrest, or prosecution.
	Yes	
	Yes	No
(11)	If not sentenced to deat imprisonment without pos	h, Samuel Ealy will be sentenced to life ssibility of parole.
	(Has b	een proved)

(12) Other factors in Samuel Ealy's childhood, background or character mitigate against imposition of the death sentence.
Yes No
Regardless of whether you answered "yes" or "no" to these questions, please continue to Part E.
Part E
Do you unanimously find beyond a reasonable doubt that the aggravating factors found to exist in Parts A, B, and C sufficiently outweigh the mitigating factors, if any, found to exist in Part D to justify a sentence of death?
Yes No
Please continue to Part F if you answered "yes" to this question. Otherwise, stop your deliberations now and sign and date the bottom of this form.
Part F
Do you unanimously find beyond a reasonable doubt that the death penalty is the correct sentence as to this count of the indictment?
Yes No
Each juror must sign below. By signing this form, each juror agrees that this verdict form accurately reflects the findings of the jury and further certifies that consideration of the race, color, religious beliefs, national origin, or sex of either the

Each juror must sign below. By signing this form, each juror agrees that this verdict form accurately reflects the findings of the jury and further certifies that consideration of the race, color, religious beliefs, national origin, or sex of either the defendant or the victims was not involved in reaching this decision, and that each juror would have made the same recommendation regarding a sentence for the crime in question no matter what the race, color, religious beliefs, national origin, or sex of the defendant, or the victims, may be.

Jume 11,2002
Date

IN THE UNITED STATES DISTRICT COURT AT ABINGDON, VA FOR THE WESTERN DISTRICT OF VIRGINIA FILED

ABINGDON DIVISION

JUN 1 1 2002

UNITED STATES OF AMERICA	JOHN F ORCORAN, CLERK BY: DEPUTY CLERK
v.) Case No. 1:00CR00104
SAMUEL STEPHEN EALY, Defendant.	VERDICT (Una Davis – Count Three)

Part A

Do you unanimously find that the government has proved beyond a reasonable doubt one of the following first category statutory aggravating factors?

- (1) The defendant intentionally killed the victim; or
- (2) The defendant intentionally inflicted serious bodily injury that resulted in the death of the victim; or
- (3) The defendant intentionally engaged in conduct intending that the victim be killed or that lethal force be employed against the victim, which resulted in the death of the victim; or
- (4) The defendant intentionally engaged in conduct which he knew would create a grave risk of death to a person, other than one of the participants in the offense, and which resulted in the death of the victim.



Please continue to Part B if you answered "yes." Otherwise, stop your deliberations now and sign and date the bottom of this form.

Part B

Do you unanimously find that t	he government h	as proved	beyond a rea	sonable
doubt the existence of the following s	second category	statutory	aggravating	factors?

(1)	The state of the s	d the intentional killing as consideration for the on of the receipt of cocaine or cash, or both.
	Yes	No
(2)	Samuel Ealy committee planning and premedit	d the intentional killing after substantial ation.
	Yes	No
		if you answered "yes" to at least one of the liberations now and sign and date the bottom of
		Part C
		the government has proved beyond a reasonable g non-statutory aggravating factors?
(1)	The impact on the famurders.	mily and friends of the victims caused by the
	Yes	No
(2)	The victims were kille	d in an effort by Samuel Ealy to obstruct justice.
	Yes	No

(3)	Samuel Ealy murdered all three members of the Davis family in a single criminal episode.		
	Yes	No	
Reg continue to		wered "yes" or "no" to these questions, please	
	**		
		Part D	
	s <u>any juror</u> find that the de he following mitigating fac	fendant has proved by a preponderance of the ctors?	
(1)		qually culpable of the murders of the Davis hed by death because he is mentally retarded.	
	Yes	No	
(2)	Samuel Ealy has no histo	ory of violence at any point in his life.	
	Yes	No	
(3)	Samuel Ealy is a good fa	ather and step-father.	
	Yes	No	
(4)	Samuel Ealy is a good s	on.	
	Yes	No	

(5)		good, responsibly his boss and co-		His is trusted, respected,
	Yes	_	No	
(6)	Samuel Stephen I	Ealy is well-liked	in his con	nmunity.
	Yes		No	
(7)	A CONTRACTOR OF THE CONTRACTOR	volunteered help sation or paymen		nunity service and refused
	Yes	*****	No	
(8)	Samuel Ealy was	a quiet and respe	ctful stude	ent.
	Yes		No	
(9)		l will make an exc		red environments, i.e., otation to prison if he is not
	Yes		No	
(10)	Samuel Ealy did	not flee from inve	estigation,	arrest, or prosecution.
	Yes		No	
(11)		to death, Samu thout possibility o		vill be sentenced to life
		(Has been prov	ed.)	

(12)		tion of the death sentence.	haracte
	Yes	No	
Regar continue to l		wered "yes" or "no" to these questions	, please
		Part E	
factors foun	d to exist in Parts A, I	yond a reasonable doubt that the aggr B, and C sufficiently outweigh the mi D to justify a sentence of death?	_
	Yes	No	
		ou answered "yes" to this question. Oth n and date the bottom of this form.	ierwise,
		Part F	
	u unanimously find beyontence as to this count	ond a reasonable doubt that the death pe of the indictment?	enalty is
	Yes	No	
3		By signing this form, each juror agrees t findings of the jury and further certif	

Each juror must sign below. By signing this form, each juror agrees that this verdict form accurately reflects the findings of the jury and further certifies that consideration of the race, color, religious beliefs, national origin, or sex of either the defendant or the victims was not involved in reaching this decision, and that each juror would have made the same recommendation regarding a sentence for the crime in question no matter what the race, color, religious beliefs, national origin, or sex of the defendant, or the victims, may be.

Date 11, 2002

IN THE UNITED STATES DISTRICT COLURTS OFFICE U.S DIST COURT FOR THE WESTERN DISTRICT OF VIRGINIA ABINGDON. VA
ABINGDON DIVISION

UNITED STATES OF AMERICA	JOHN F CORCORAN, CLERK BY: DEPUTY CLERK	
v.) Case No. 1:00CR00104	
SAMUEL STEPHEN EALY,) VERDICT	
Defendant.) (Robert Hopewell – Count Four)	

Part A

Do you unanimously find that the government has proved beyond a reasonable doubt one of the following first category statutory aggravating factors?

- (1) The defendant intentionally killed the victim; or
- (2) The defendant intentionally inflicted serious bodily injury that resulted in the death of the victim; or
- (3) The defendant intentionally engaged in conduct intending that the victim be killed or that lethal force be employed against the victim, which resulted in the death of the victim; or
- (4) The defendant intentionally engaged in conduct which he knew would create a grave risk of death to a person, other than one of the participants in the offense, and which resulted in the death of the victim.



Please continue to Part B if you answered "yes." Otherwise, stop your deliberations now and sign and date the bottom of this form.

Part B

Do you unanimously find that the government has proved beyond a reasonable doubt the existence of the following second category statutory aggravating factors?

(1) Samuel Ealy committed the intentional killing as consideration for the receipt or the expectation of the receipt of cocaine or cash, or both.



(2) Samuel Ealy committed the intentional killing after substantial planning and premeditation.



(3) Robert Hopewell was a vulnerable victim by virtue of his youth and infirmity.



Please continue to Part C if you answered "yes" to at least one of the questions. Otherwise, stop your deliberations now and sign and date the bottom of this form.

Part C

Do you unanimously find that the government has proved beyond a reasonable doubt the existence of the following non-statutory aggravating factors?

(1) The impact on the family and friends of the victims caused by the murders.



The victims were killed in an effort by Samuel Ealy to obstruct justice			
Yes		No	
Samuel Ealy murd criminal episode.	ered all three me	mbers of the	Davis family in a single
Ves		No.	
100		110	
ardless of whether yo Part D.	ou answered "ye	s" or "no" to	these questions, please
	Part D		
		as proved by	a preponderance of the
	-	-	
Ves		No	
103	W.	140	
Samuel Ealy has a	no history of vio	lence at any	point in his life.
		~	
Yes		No	
Samuel Ealy is a	good father and	step-father.	
Yes		No	
	Yes Samuel Ealy murd criminal episode. Yes Ardless of whether year of Part D. Samuel Ealy murd find that the following mitigate the family, will not be yes Yes Samuel Ealy has a second for the family for the fa	Yes Samuel Ealy murdered all three me criminal episode. Yes Ardless of whether you answered "yes Part D. Part D Sany juror find that the defendant has following mitigating factors? Pete Church, who is equally cute family, will not be punished by defendently. Yes Samuel Ealy has no history of viotation and samuel Ealy is a good father and samuel Ealy is	Yes No Samuel Ealy murdered all three members of the criminal episode. Yes No Ardless of whether you answered "yes" or "no" to o Part D. Part D So any juror find that the defendant has proved by the following mitigating factors? Pete Church, who is equally culpable of the family, will not be punished by death because the family, will not be punished by death because the family of violence at any the family is a good father and step-father.

(4)	Samuel Ealy is a good	son.	
	Yes	No	
(5)	Samuel Ealy is a good and well-liked by his b	-	His is trusted, respected,
	Yes	No	
(6)	Samuel Stephen Ealy	is well-liked in his con	nmunity.
	Yes	No	
(7)	Samuel Ealy has volumed offers of compensation	-	nunity service and refused
	Yes	No	
(8)	Samuel Ealy was a qu	iet and respectful stud	ent.
	Yes	No	
(9)			ured environments, i.e.

No

sentenced to death.

(10)	Samuel Ealy did not fl	ee from investigation, arrest, or prosecution.
	V	
	Yes	No

(11) If not sentenced to death, Samuel Ealy will be sentenced to life imprisonment without possibility of parole.

(Has been proved.)

(12) Other factors in Samuel Ealy's childhood, background or character mitigate against imposition of the death sentence.



Regardless of whether you answered "yes" or "no" to these questions, please continue to Part E.

Part E

Do you unanimously find beyond a reasonable doubt that the aggravating factors found to exist in Parts A, B, and C sufficiently outweigh the mitigating factors, if any, found to exist in Part D to justify a sentence of death?



Please continue to Part F if you answered "yes" to this question. Otherwise, stop your deliberations now and sign and date the bottom of this form.

Part F

Do you unanimously find beyond a reasonable doubt that the death penalty is the correct sentence as to this count of the indictment?

Yes No

Each juror must sign below. By signing this form, each juror agrees that this verdict form accurately reflects the findings of the jury and further certifies that consideration of the race, color, religious beliefs, national origin, or sex of either the defendant or the victims was not involved in reaching this decision, and that each juror would have made the same recommendation regarding a sentence for the crime in question no matter what the race, color, religious beliefs, national origin, or sex of the defendant, or the victims, may be.



June 11, 2002 Date