

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

FILED BY lp D.C.  
03 MAY 29 PM 4: 51

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
AARON SONTA HAYNES, )  
 )  
Defendant. )

ROBERT R. DI TROLIO  
CLERK, U.S. DIST. CT.  
W.D. OF TN, MEMPHIS

Cr. No. 01-20247-D

SPECIAL VERDICT FORM

I.

AGE OF DEFENDANT

Instructions: For each of the following answer "YES" or "NO".  
As to Count Two:

1. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that the defendant was eighteen years or older at the time to the offense?

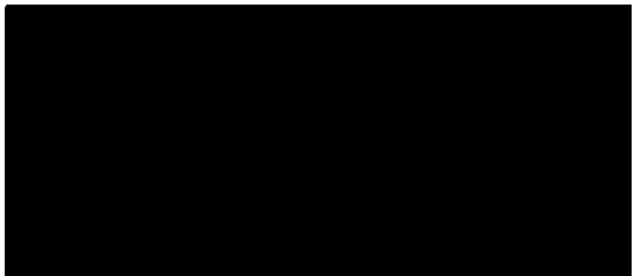
YES  \_\_\_\_\_  
NO \_\_\_\_\_



As to Count Four:

2. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that the defendant was eighteen years of age or older at the time of the offense?

YES  \_\_\_\_\_  
NO \_\_\_\_\_



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Instructions: If you answered "NO" with respect to both determinations 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 either determination in this Section I, proceed to Section II which follows.

II.

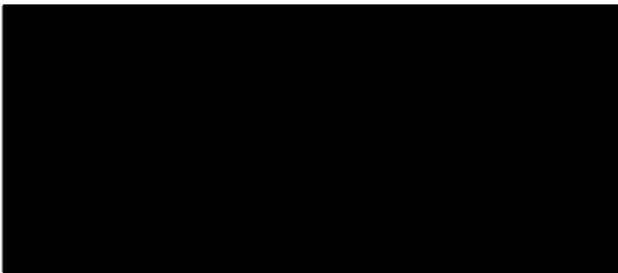
REQUISITE MENTAL STATE

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

A.

As to Count Two:

1. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that the defendant intentionally killed Sheryl White?

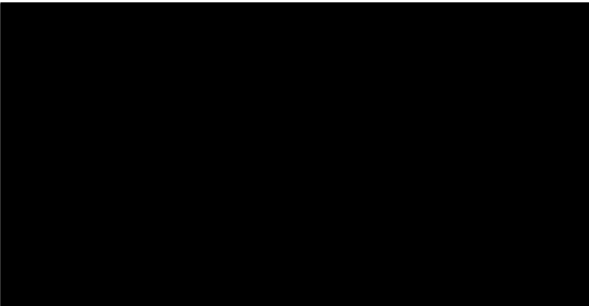


YES \_\_\_\_\_

NO \_\_\_\_\_

As to Count Four:

2. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that the defendant intentionally killed Sheryl White?



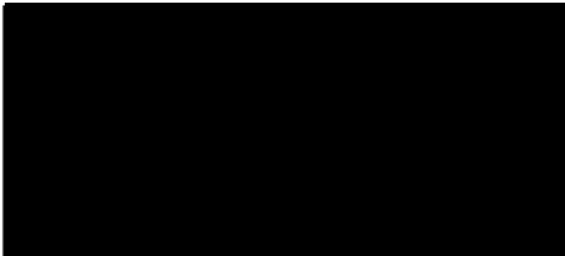
YES \_\_\_\_\_

NO \_\_\_\_\_

B.

As to Count Two:

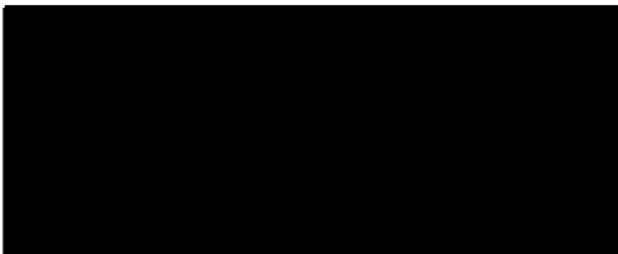
1. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that the defendant intentionally and specifically engaged in an act of violence, knowing that the act created a grave risk of death to a person, other than one of the participants in the offense, such that participation in the act constituted a reckless disregard for human life and Sheryl White died as a direct result of the act?



YES   
NO

As to Count Four:

2. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that the defendant 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 Sheryl White died as a direct result of the act?



YES   
NO

Instructions: If you answered "NO" with respect to all of the determination[s] 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 determination[s] in this Section II, proceed to Section III which follows.

III.

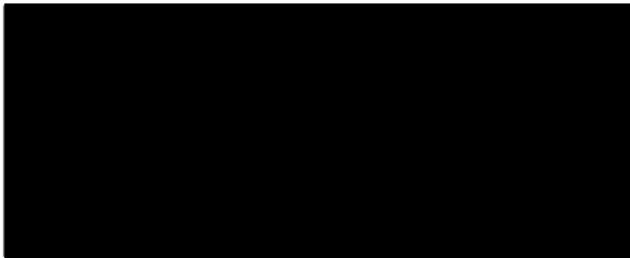
STATUTORY AGGRAVATING FACTORS

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

A.

As to Count Two:

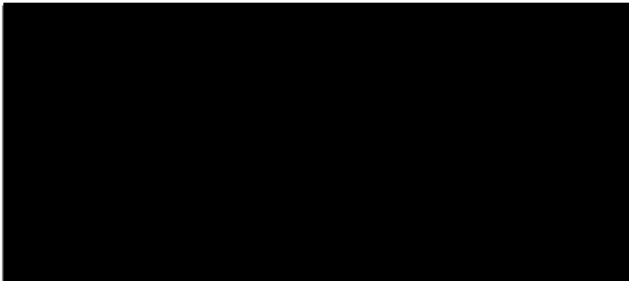
1. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that the defendant, in concert the co-defendants in the commission of the offense, knowingly created a grave risk of death to a person in addition to the victim of the offense, as set out in Instruction No. 5?



YES   
NO

As to Count Four:

2. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that the defendant, in concert with the co-defendants in the commission of the offense, knowingly created a grave risk of death to a person in addition to the victim of the offense as set out in Instruction No. 5?



YES   
NO

B.

As to Count Two:

1. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that the defendant committed the offense that is the murder not the bank robbery, as consideration for the receipt, or in expectation of the receipt, of things of pecuniary value, as set out in Instruction No. 6?

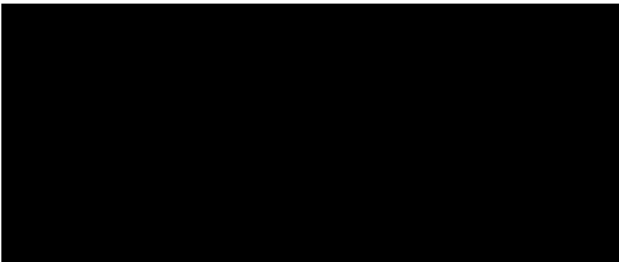


YES \_\_\_\_\_

NO \_\_\_\_\_

As to Count Four:

2. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that the defendant committed the offense, that is the murder not the bank robbery, as consideration for the receipt, or in expectation of the receipt, of things of pecuniary value, as set out in Instruction No. 6?



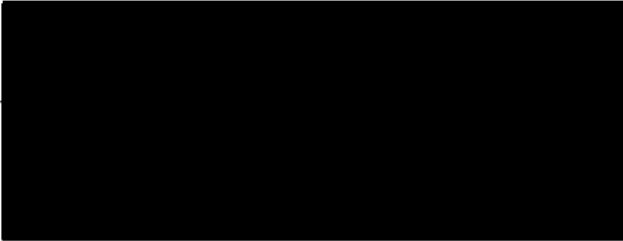
YES \_\_\_\_\_

NO \_\_\_\_\_

C.

As to Count Two:

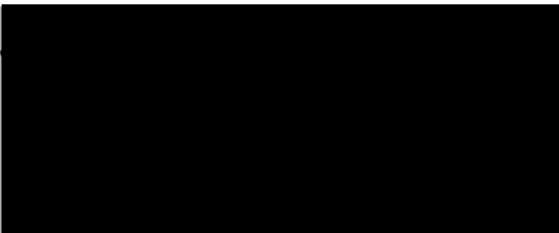
1. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that the defendant committed the offense, that is the murder not the bank robbery, after substantial planning and premeditation to cause the death of a person, as set out in Instruction No. 7?



YES \_\_\_\_\_  
NO  \_\_\_\_\_

As to Count Four:

1. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that the defendant committed the offense, that is the murder not the bank robbery, after substantial planning and premeditation to cause the death of a person, as set out in Instruction No. 7?



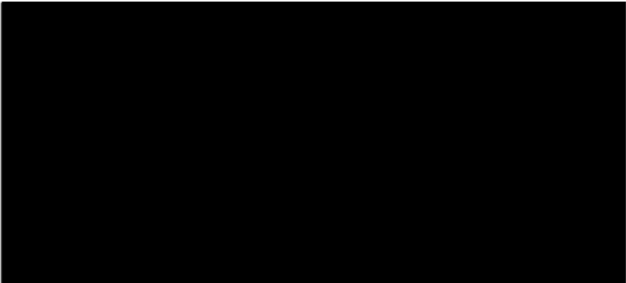
YES \_\_\_\_\_  
NO  \_\_\_\_\_



D.

As to Count Two:

1. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that the defendant, in concert with the co-defendants, attempted to kill more than one person in a single criminal episode, as set out in Instruction No. 8?

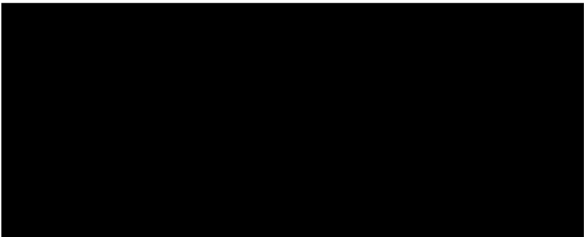


YES

NO

As to Count Four:

2. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt the defendant, in concert with the co-defendant, attempted to kill more than one person in a single criminal episode, as set out in Instruction No. 8?



YES

NO

Instructions: If you answered "NO" with respect to all of the determination[s] in this section, then stop your deliberations, cross out Sections 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 determination[s] in the Section III, proceed to Section IV which follows.

IV.

NON-STATUTORY AGGRAVATING FACTORS

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

A.

As to Count Two:

1. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that, as reflected by Sheryl White's personal characteristics as an individual human being and the impact of the offense on Sheryl White and her family, the defendant caused loss to Sheryl White and her family?

YES

NO

As to Count Four:

2. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that, as reflected by Sheryl White's personal characteristics as an individual human being and the impact of the offense on Sheryl White and her family, the defendant caused loss to Sheryl White and her family.



YES  \_\_\_\_\_

NO \_\_\_\_\_

B.

As to Count Two:

1. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that the defendant committed a violent robbery ~~in 1995~~ <sup>in 1995</sup> and was convicted in state court for this robbery?

YES  \_\_\_\_\_  
NO \_\_\_\_\_

As to Count Four:

2. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that the defendant committed a violent robbery ~~in 1995~~ <sup>in 1995</sup> and was convicted in state court for this robbery?

YES  \_\_\_\_\_  
NO \_\_\_\_\_

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

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 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:

As to Count Two:

1. Impaired capacity.-

The defendant's capacity to appreciate the wrongfulness of the defendant's conduct or to conform conduct to the requirements of law was significantly impaired, regardless of whether the capacity was so impaired as to constitute a defense to the charge.

Number of jurors who so find 0 (zero)

2. Equally culpable defendant.-

Another defendant or defendants, equally culpable in the crime, will not be punished by death.

Number of jurors who so find 5 (five)

3. Disturbance.-

The defendant committed the offense under severe mental

or emotional disturbance.

Number of jurors who so find 3 (three)

4. Mother's mental health history

Number of jurors who so find 2 (two).

5. Age of mother at the time she left Gloster, MS

Number of jurors who so find 4 (four).

6. Absent father and no background information regarding father

Number of jurors who so find 11 (eleven) ~~10 (ten)~~.

7. Neglect

Number of jurors who so find 8 (eight).

8. Dangerous environment

Number of jurors who so find 8 (eight).

9. Early exposure to alcohol and drugs

Number of jurors who so find 8 (eight).

10. Family dysfunction and chaotic, unstable environment

Number of jurors who so find 10 (ten).

11. Denied stable loving environment

Number of jurors who so find 6 (six).

12. Mother's inappropriate parenting skills and provided inadequate supervision

Number of jurors who so find 12 (twelve).

13. Severe discipline/abuse (physical and emotional)

Number of jurors who so find 9 (nine).

14. Childhood sexual abuse  
Number of jurors who so find 3 (three)
15. Childhood mental health intervention  
Number of jurors who so find 5 (five)
16. Transience in residence  
Number of jurors who so find 4 (four)
17. Transience in schools  
Number of jurors who so find 7 (seven)
18. Lack of a stable male figure  
Number of jurors who so find 10 (ten)
19. Mother's alcohol and drug use.  
Number of jurors who so find 4 (four)
20. Physical health problems - Apophysitis, bone disease  
Number of jurors who so find 0 (zero)
21. Significant loss of step-sister  
Number of jurors who so find 5 (five)
22. Suicide attempt  
Number of jurors who so find 1 (one)
23. Alcohol and drug addiction  
Number of jurors who so find 9 (nine)
24. Level of education  
Number of jurors who so find 0 (zero)
25. Witnessed domestic abuse  
Number of jurors who so find 5 (five)



26. Undeveloped potential  
Number of jurors who so find 0 (zero)
27. Positive character traits  
Number of jurors who so find 5 (five)
28. Significant loss of grandfather  
Number of jurors who so find 0 (zero)
29. Loving son  
Number of jurors who so find 5 (five)
30. Loving family member  
Number of jurors who so find 8 (eight)
31. Loving husband  
Number of jurors who so find 2 (two)
32. Loving father  
Number of jurors who so find (3) (three)
33. Effects on children and family  
Number of jurors who so find (5) five
34. Severely disabled child  
Number of jurors who so find 0 (zero)
35. Loss of child  
Number of jurors who so find 0 (zero)
36. Drugs and alcohol at the time of the offense  
Number of jurors who so find 3 (three)
37. Gunshot wound and resulting medical treatment.  
Number of jurors who so find 0 (zero)

38. Defendant's mental health problems; depression with psychotic features

Number of jurors who so find 6 (six).

39. Anti-psychotic and anti-depressant medications prescribed

Number of jurors who so find 3 (three)

40. Cooperated with authorities

Number of jurors who so find 1 (one).

41. Adapts well to prison.

Number of jurors who so find 1 (one).

42. Defendant will not be a danger in the future if he is confined in a highly structured and secure federal prison.

Number of jurors who so find 4 (four).

43. Remorse. Defendant is bothered by conscience, hallucinations and voices.

Number of jurors who so find 1 (one).

44. Any other reason that any one juror may find to not impose the death penalty, even if it cannot be put into words.

Number of jurors who so find 6 (six).

As to Count Four:

45. Impaired capacity.-

The defendant's capacity to appreciate the wrongfulness of the defendant's conduct or to conform conduct to the requirements of law was significantly impaired, regardless of whether the capacity was so impaired as to constitute a defense to the charge.

Number of jurors who so find 0 (zero).

2. Equally culpable defendant.-

Another defendant or defendants, equally culpable in the crime, will not be punished by death.

Number of jurors who so find 5 (five).

3. Disturbance.-

The defendant committed the offense under severe mental or emotional disturbance.

Number of jurors who so find 3 (three).


4. Mother's mental health history

Number of jurors who so find 2 (two).

5. Age of mother at the time she left Gloster, MS

Number of jurors who so find 4 (four).

6. Absent father and no background information regarding father

Number of jurors who so find <sup>11</sup>10 (ten eleven) 

7. Neglect

Number of jurors who so find 8 (eight).

8. Dangerous environment

Number of jurors who so find 8 (eight).

9. Early exposure to alcohol and drugs  
Number of jurors who so find 8 (eight).
10. Family dysfunction and chaotic, unstable environment  
Number of jurors who so find ten (10).
11. Denied stable loving environment  
Number of jurors who so find 6 (six).
12. Mother's inappropriate parenting skills and provided inadequate supervision  
Number of jurors who so find 12 (twelve).
13. Severe discipline/abuse (physical and emotional)  
Number of jurors who so find 9 (nine).
14. Childhood sexual abuse  
Number of jurors who so find 3 (three).
15. Childhood mental health intervention  
Number of jurors who so find 5 (five).
16. Transience in residence  
Number of jurors who so find 4 (four).
17. Transience in schools  
Number of jurors who so find 7 (seven).
18. Lack of a stable male figure  
Number of jurors who so find 10 (ten).
19. Mother's alcohol and drug use.  
Number of jurors who so find 4 (four).
20. Physical health problems - Apophysitis, bone disease  
Number of jurors who so find 0 (zero).

21. Significant loss of step-sister  
Number of jurors who so find 5 (five).
22. Suicide attempt  
Number of jurors who so find 1 (one).
23. Alcohol and drug addiction  
Number of jurors who so find 9 (nine).
24. Level of education  
Number of jurors who so find 0 (zero).
25. Witnessed domestic abuse  
Number of jurors who so find 5 (five).
26. Undeveloped potential  
Number of jurors who so find 0 (zero).
27. Positive character traits  
Number of jurors who so find 5 (five).
28. Significant loss of grandfather  
Number of jurors who so find 0 (zero).
29. Loving son  
Number of jurors who so find 5 (five).
30. Loving family member  
Number of jurors who so find 8 (eight).
31. Loving husband  
Number of jurors who so find 2 (two).
32. Loving father  
Number of jurors who so find 3 (three).

33. Effects on children and family  
Number of jurors who so find 5 (five).
34. Severely disabled child  
Number of jurors who so find 0 (zero).
35. Loss of child  
Number of jurors who so find 0 (zero).
36. Drugs and alcohol at the time of the offense  
Number of jurors who so find 3 (three).
37. Gunshot wound and resulting medical treatment.  
Number of jurors who so find 0 (zero).
38. Defendant's mental health problems; depression with psychotic features  
Number of jurors who so find 6 (six).
39. Anti-psychotic and anti-depressant medications prescribed  
Number of jurors who so find 3 (three).
40. Cooperated with authorities  
Number of jurors who so find 1 (one).
41. Adapts well to prison.  
Number of jurors who so find 1 (one).
42. Defendant will not be a danger in the future if he is confined in a highly structured and secure federal prison.  
Number of jurors who so find 4 (four).
43. Remorse. Defendant is bothered by conscience, hallucinations and voices.  
Number of jurors who so find 1 (one).

44. Any other reason that any one juror may find to not impose the death penalty, even if it cannot be put into words.

Number of jurors who so find 6 (Six).

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

As to Count Two:

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

YES \_\_\_\_\_

NO  \_\_\_\_\_

If you answer "YES," sign your names here, and then proceed to Section VI(b). If you answer "NO," the foreperson alone should sign, and you should proceed to Section VI(b):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date: 5/29/03



As to Count Fōur:

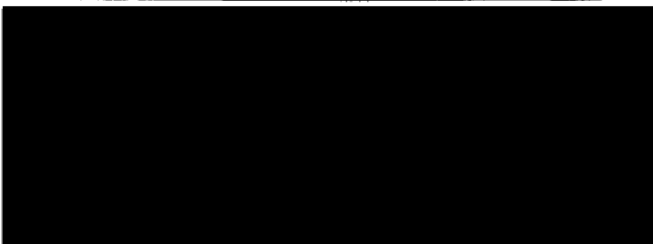
We determine, by unanimous vote, that a sentence of death shall be imposed.

YES \_\_\_\_\_

NO  \_\_\_\_\_

If you answer "YES," sign your names here, and then proceed to Section VII. If you answer "NO," the foreperson alone should sign, and you should proceed to Section VII (B):

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____



Date: 5/29/03.

B. Sentence of Life in Prison Without Possibility  
of Release

As to Count Two:

We have determined, by unanimous vote, that a sentence of life imprisonment without possibility of release shall be imposed upon the defendant. ~~Unanimous~~ Not unanimous

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Date: 5/29/03.

As to Count Four:

We have determined, by unanimous vote, that a sentence of life imprisonment without possibility of release shall be imposed upon the defendant.

Not unanimous

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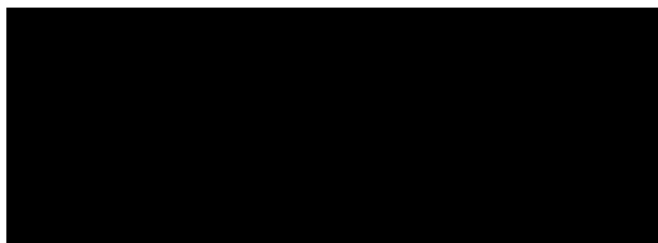
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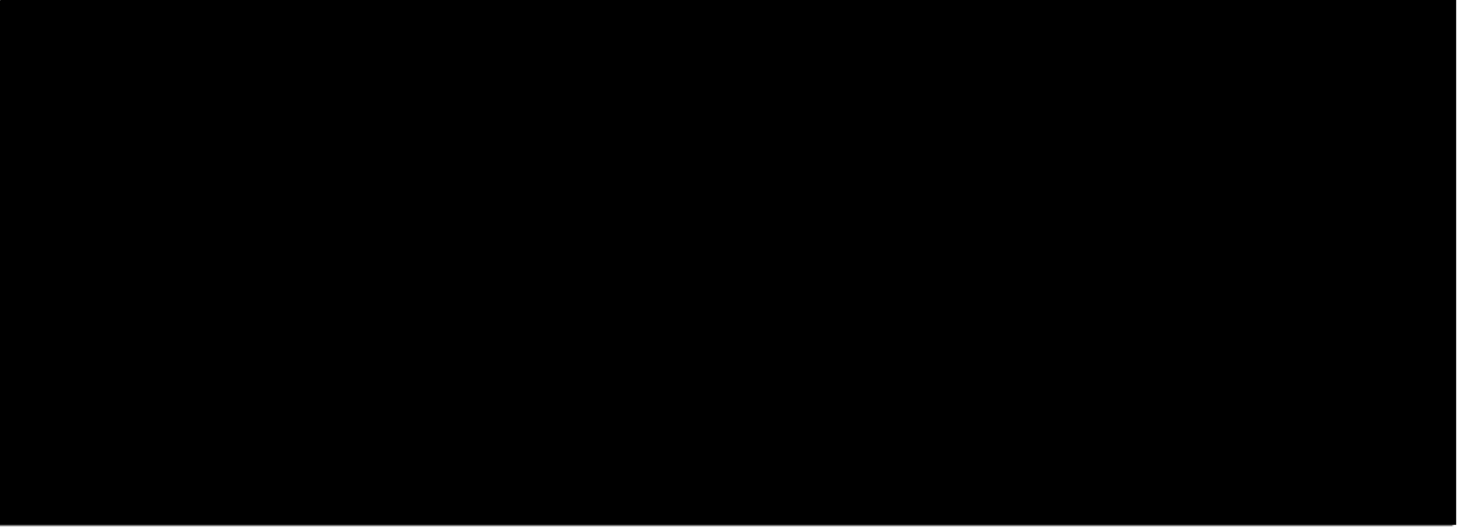
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Date: 5/29/03.

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 29, 2003