

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

UNITED STATES OF AMERICA,

\*

v.

\* CRIMINAL NO. S1-1:01CR00073

TYRESE D. HYLES

\*

SPECIAL VERDICT FORM

COUNT I – CONSPIRACY TO COMMIT MURDER-FOR-HIRE  
OF COY L. SMITH, SR. BY THE DEFENDANT

**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:

The Defendant was eighteen years of age or older at the time of the offense.

YES

NO

Foreperson

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.

**II. REQUISITE MENTAL STATE**

Instructions: Answer "YES" or "NO." Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that the Defendant 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 Coy L. Smith, Sr. died as a direct result of the act?

YES

NO



Instructions: If you answer "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 the determination in this Section II, proceed to Section III, which follows.

**III. STATUTORY AGGRAVATING FACTORS**

Instructions: To 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 the Defendant committed the offense of conspiracy to commit murder-for-hire, as charged in Count I of the indictment, after the Defendant had been previously convicted of a Federal or State offense punishable by a term of imprisonment of more than one year, involving the use or attempted or threatened use of a firearm against another person, as set out in Instruction No. 56?

YES

NO

  
Foreperson

B. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that the Defendant procured the commission of the offense of conspiracy to commit murder-for-hire, as charged in Count I of the indictment, by payment, or the promise of payment, of anything of pecuniary value, as set out in Instruction No. 56?

YES

NO

  
Foreperson

C. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that the Defendant committed the offense of conspiracy to commit murder-for-hire, as charged in Count I of the indictment, after substantial planning and premeditation to cause the death of a person as set out in Instruction No. 56?

YES

NO

  
Foreperson

**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:

**IV. NON-STATUTORY AGGRAVATING FACTORS**

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 the Defendant would be a danger in the future to the lives and safety of other persons, as evidenced by one or more of the following:

- (1) the Defendant's engaging in a continuing pattern of violent conduct;
- (2) the Defendant's threatening others with violence;
- ~~(3)~~ (3) the Defendant's demonstrating by his statements or actions a lack of remorse for the capital offense committed in this case;

and his dangerousness tends to support imposition of the death penalty?

YES

NO

  
Foreperson

B. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that Coy L. Smith, Sr., was killed in an effort by the Defendant to obstruct justice, and that obstruction tends to support imposition of the death penalty?

YES

NO

  
Foreperson

C. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that the Defendant has committed or attempted to commit other criminal acts, in addition to the capital offense committed by him in this case, namely, the following:

(1) Sale of a controlled substance, for which he was convicted;  
and the commission of that offense tends to support imposition of the death penalty?

YES

NO



Foreperson

**D.** Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that the Defendant's crime had a significant victim impact on Coy L. Smith's widow, Mae Helen Smith, and that impact tends to support imposition of the death penalty?

YES

NO



Foreperson

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.

**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:

✓ 01. Tyrese Hyles is the product of an unstable and chaotic childhood.

Number of jurors who so find 3

02. Tyrese Hyles grew up in extreme poverty.

Number of jurors who so find 2

03. Tyrese Hyles lacked a positive role model during his childhood.

Number of jurors who so find 3.

04. Tyrese Hyles lacks a significant formal education, dropping out of Simeon High School early in his freshman year.

Number of jurors who so find 0.

05. Tyrese Hyles grew up surrounded by violence, drug abuse and criminal activity in his neighborhoods.

Number of jurors who so find 7

06. Tyrese Hyles grew up surrounded by drug abuse and criminal activity in his home.

Number of jurors who so find 4

07. Oshelleree Price, the mother of Tyrese Hyles, was addicted to crack cocaine.

Number of jurors who so find 4

08. Oshelleree Price, the mother of Tyrese Hyles, periodically abandoned him to satisfy her drug dependency.

Number of jurors who so find 3

09. The primary male parental figure in the life of Tyrese Hyles, Robby Vaughn, was a thief and a seller of drugs.

Number of jurors who so find 4

10. Robby Vaughn taught Tyrese Hyles certain facets of the illegal drug trade.

Number of jurors who so find 0

11. Tyrese Hyles grew up without any involvement by his father, Willie Lee Jefferson.

Number of jurors who so find 0

12. Tyrese Hyles was exposed to numerous risk factors as a young child which negatively affected his development.

Number of jurors who so find 0

13. If Tyrese Hyles is not sentenced to death, he will be punished by a sentence of life imprisonment without the possibility of release or parole. (You must all accept that this factor has been proven).

Number of jurors who so find 0

14. Tyrese Hyles is punishable as a principal in the offense, which was committed by another, but his participation was relatively minor, regardless of whether the participation was so minor as to constitute a defense to the charge.

Number of jurors who so find 0

15. Tyrese Hyles was not present when Coy Smith was killed.

Number of jurors who so find 0

16. Another defendant, Amesheo Cannon, equally culpable in the crime, will not be punished by a sentence of death.

Number of jurors who so find 0

17. Another potential defendant, Rontae Stewart, equally culpable in the crime, will not be punished by a sentence of death.

Number of jurors who so find 0

18. Another potential defendant, Samuel Anderson, equally culpable in the crime, will not be punished by a sentence of death.

Number of jurors who so find 0



19. That Samuel Anderson was never prosecuted for his role in the offenses of murder-for-hire and conspiracy to commit murder-for-hire.

Number of jurors who so find 0.

20. The role played by Amesheo Cannon, as compared with the role played in the offense by Tyrese Hyles, is a circumstance which weighs against a sentence of death for Tyrese Hyles.

Number of jurors who so find 0.

21. The role played by Rontae Stewart, as compared with the role played in the offense by Tyrese Hyles, is a circumstance which weighs against a sentence of death for Tyrese Hyles.

Number of jurors who so find 0.

22. The role played in the offense of Samuel Anderson, as compared to the role played in the offense by Tyrese Hyles, is a circumstance which weighs against a sentence of death for Tyrese Hyles.

Number of jurors who so find 0.

23. That if Tyrese Hyles receives a sentence of life imprisonment without the possibility of release or parole, his sentence will be as harsh as the sentence imposed on Amesheo Cannon.

Number of jurors who so find 0.

24. That if Tyrese Hyles receives a sentence of life imprisonment without the possibility of release or parole, his sentence will be as harsh as any potential sentence that could be imposed on Rontae Stewart.

Number of jurors who so find 0.

25. That if Tyrese Hyles receives a sentence of life imprisonment without the possibility of release or parole, his sentence will be harsher than any sentence imposed upon Samuel Anderson.

Number of jurors who so find 0.

26. That if Tyrese Hyles receives a sentence of life imprisonment without the possibility of release or parole, his sentence will be harsher than any sentence imposed upon David Carter.

Number of jurors who so find 0.

27. Even though the jury found defendant Tyrese Hyles guilty beyond a reasonable doubt, there is still some lingering or residual doubt of his guilt.

Number of jurors who so find 0.

28. Tyrese Hyles does not have a significant prior history of other criminal conduct.

Number of jurors who so find 0.

29. Tyrese Hyles does not have a significant prior history of other violent criminal conduct.

Number of jurors who so find 0.

30. Tyrese Hyles has made a good adjustment to being incarcerated while awaiting trial.

Number of jurors who so find 0.

31. Tyrese Hyles has responded well to structured environments, and would likely make an acceptable adaptation to prison if he were sentenced to life imprisonment.

Number of jurors who so find 0.

32. Tyrese Hyles poses no risk of future danger to the public while in prison for the rest of his life.

Number of jurors who so find 1.

33. Tyrese Hyles is part of an extended family whose members will assist him in his adjustment to permanent incarceration.

Number of jurors who so find 1.

34. Tyrese Hyles has matured since his incarceration and has a significantly different outlook and philosophy.

Number of jurors who so find 0.

35. Tyrese Hyles has been religious since his incarceration and counsels others on faith and prayer.

Number of jurors who so find 0.

36. Tyrese Hyles is a creative, artistic person who has demonstrated the capacity to be a loving and caring person.

Number of jurors who so find 0.

37. Tyrese Hyles has actively supported, nurtured and loved his younger siblings, Tiawanna and Joshon, while they were growing up in poverty in Chicago.

Number of jurors who so find 0.

38. Tyrese Hyles served as the head of the family after his sister LaTonya returned to Caruthersville.

Number of jurors who so find 0.

39. Tyrese Hyles, while incarcerated, maintains a supportive and positive role within his immediate family.

Number of jurors who so find 0.

40. Tyrese Hyles has been a source of advice, counsel and support to his extended family, which has benefitted the lives of those to whom he has given such counsel.

Number of jurors who so find 10.

41. That Tyrese Hyles has actively supported, nurtured and loved his children throughout their lives.

Number of jurors who so find 0.

42. That Tyrese Hyles has actively supported, nurtured and loved his children while he has been incarcerated awaiting trial.

Number of jurors who so find 0.

43. If sentenced to life imprisonment without the possibility of release or parole, Tyrese Hyles will continue to provide nurturing and love to his son, Tyrese Hyles, Jr., the child of Carolyn Hall.

Number of jurors who so find 5.

44. If sentenced to life imprisonment without the possibility of release or parole, Tyrese Hyles <sup>will</sup> continue to provide nurturing and love to Jasmine, Delano and Tyreshia, the other children of Carolyn Hall.

Number of jurors who so find 4.

45. If sentenced to life imprisonment without the possibility of release or parole, Tyrese Hyles will continue to provide nurturing and love to his son, Demetrus Tyrese Hyles, the child of Dyvonne Miller.

Number of jurors who so find 3.

46. Tyrese Hyles has counseled his children to avoid violence and that they should not pursue criminal activity or risk incarceration.

Number of jurors who so find 5.

47. The execution of Tyrese Hyles will cause his family to suffer significant grief and loss.

Number of jurors who so find 6.

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

**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 I, Conspiracy to Commit Murder-for-Hire, we determine, by unanimous vote, that a sentence of death shall be imposed.

YES \_\_\_\_\_

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):

  
Foreperson

Date   6/8  ,   05  

**B. Sentence of Life in Prison Without Possibility of Release**

As to Count I, Conspiracy to Commit Murder-For-Hire, 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.

  
Foreperson

Date:   6/8  ,   05

**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: 6/8, 05

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

UNITED STATES OF AMERICA,

\*

v.

\* CRIMINAL NO. S1-1:01CR00073

TYRESE D. HYLES

\*

SPECIAL VERDICT FORM

COUNT II – MURDER-FOR-HIRE  
OF COY L. SMITH, SR. BY THE DEFENDANT

**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:

The Defendant was eighteen years of age or older at the time of the offense.

YES

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.

**II. REQUISITE MENTAL STATE**

Instructions: Answer "YES" or "NO." Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that the Defendant 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 Coy L. Smith, Sr. died as a direct result of the act?

YES yes

NO \_\_\_\_\_

  
Foreperson S

Instructions: If you answer "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 the determination in this Section II, proceed to Section III, which follows.



**III. STATUTORY AGGRAVATING FACTORS**

Instructions: To 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 the Defendant committed the offense of murder-for-hire, as charged in Count II of the indictment, after the Defendant had been previously convicted of a Federal or State offense punishable by a term of imprisonment of more than one year, involving the use or attempted or threatened use of a firearm against another person, as set out in Instruction No.

56?

YES yes

NO \_\_\_\_\_



Foreperson

B. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that the Defendant procured the commission of the offense of murder-for-hire, as charged in Count II of the indictment, by payment, or the promise of payment, of anything of pecuniary value, as set out in Instruction No. 56?

YES yes

NO \_\_\_\_\_



Foreperson

C. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that the Defendant committed the offense of murder-for-hire, as charged in Count II of the indictment, after substantial planning and premeditation to cause the death of a person as set out in Instruction No. 56?

YES yes

NO \_\_\_\_\_



Foreperson

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:

**IV. NON-STATUTORY AGGRAVATING FACTORS**

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 the Defendant would be a danger in the future to the lives and safety of other persons, as evidenced by one or more of the following:

- (1) the Defendant's engaging in a continuing pattern of violent conduct;
- (2) the Defendant's threatening others with violence;
- (3) the Defendant's demonstrating by his statements or actions a lack of remorse for the capital offense committed in this case;

and his dangerousness tends to support imposition of the death penalty?

YES yes

NO \_\_\_\_\_

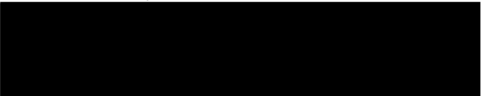


Foreperson

B. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that Coy L. Smith, Sr., was killed in an effort by the Defendant to obstruct justice, and that obstruction tends to support imposition of the death penalty?

YES ✓

NO \_\_\_\_\_





Foreperson

C. Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that the Defendant has committed or attempted to commit other criminal acts, in addition to the capital offense committed by him in this case, namely, the following:

(1) Sale of a controlled substance, for which he was convicted;  
and the commission of that offense tends to support imposition of the death penalty?



YES

NO

  
Foreperson    
**D.** Do you, the jury, unanimously find that the government has established beyond a reasonable doubt that the Defendant's crime had a significant victim impact on Coy L. Smith's widow, Mae Helen Smith, and that impact tends to support imposition of the death penalty?

YES

NO

  
Foreperson    
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.

## 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:

01. Tyrese Hyles is the product of an unstable and chaotic childhood.

Number of jurors who so find 0.

02. Tyrese Hyles grew up in extreme poverty.

Number of jurors who so find 0.

03. Tyrese Hyles lacked a positive role model during his childhood.

Number of jurors who so find 0.

04. Tyrese Hyles lacks a significant formal education, dropping out of Simeon High School early in his freshman year.

Number of jurors who so find 0.

05. Tyrese Hyles grew up surrounded by violence, drug abuse and criminal activity in his neighborhoods.

Number of jurors who so find 0.

06. Tyrese Hyles grew up surrounded by drug abuse and criminal activity in his home.

Number of jurors who so find 0.

07. Oshelleree Price, the mother of Tyrese Hyles, was addicted to crack cocaine.

Number of jurors who so find 0.

08. Oshelleree Price, the mother of Tyrese Hyles, periodically abandoned him to satisfy her drug dependency.

Number of jurors who so find 0.

09. The primary male parental figure in the life of Tyrese Hyles, Robby Vaughn, was a thief and a seller of drugs.

Number of jurors who so find 0.

10. Robby Vaughn taught Tyrese Hyles certain facets of the illegal drug trade.

Number of jurors who so find 0.

11. Tyrese Hyles grew up without any involvement by his father, Willie Lee Jefferson.

Number of jurors who so find 0.

12. Tyrese Hyles was exposed to numerous risk factors as a young child which negatively affected his development.

Number of jurors who so find 0.

13. If Tyrese Hyles is not sentenced to death, he will be punished by a sentence of life imprisonment without the possibility of release or parole. (You must all accept that this factor has been proven).

Number of jurors who so find 0.

14. Tyrese Hyles is punishable as a principal in the offense, which was committed by another, but his participation was relatively minor, regardless of whether the participation was so minor as to constitute a defense to the charge.

Number of jurors who so find 0.

15. Tyrese Hyles was not present when Coy Smith was killed.

Number of jurors who so find 0.

16. Another defendant, Ameshoe Cannon, equally culpable in the crime, will not be punished by a sentence of death.

Number of jurors who so find 0.

17. Another potential defendant, Rontae Stewart, equally culpable in the crime, will not be punished by a sentence of death.

Number of jurors who so find 0.

18. Another potential defendant, Samuel Anderson, equally culpable in the crime, will not be punished by a sentence of death.

Number of jurors who so find 0.

19. That Samuel Anderson was never prosecuted for his role in the offenses of murder-for-hire and conspiracy to commit murder-for-hire.

Number of jurors who so find 0.

20. The role played by Amesheo Cannon, as compared with the role played in the offense by Tyrese Hyles, is a circumstance which weighs against a sentence of death for Tyrese Hyles.

Number of jurors who so find 0.

21. The role played by Rontae Stewart, as compared with the role played in the offense by Tyrese Hyles, is a circumstance which weighs against a sentence of death for Tyrese Hyles.

Number of jurors who so find 0.

22. The role played in the offense of Samuel Anderson, as compared to the role played in the offense by Tyrese Hyles, is a circumstance which weighs against a sentence of death for Tyrese Hyles.

Number of jurors who so find 0.

23. That if Tyrese Hyles receives a sentence of life imprisonment without the possibility of release or parole, his sentence will be as harsh as the sentence imposed on Amesheo Cannon.

Number of jurors who so find 0.

24. That if Tyrese Hyles receives a sentence of life imprisonment without the possibility of release or parole, his sentence will be as harsh as any potential sentence that could be imposed on Rontae Stewart.

Number of jurors who so find 0.

25. That if Tyrese Hyles receives a sentence of life imprisonment without the possibility of release or parole, his sentence will be harsher than any sentence imposed upon Samuel Anderson.

Number of jurors who so find 0.

26. That if Tyrese Hyles receives a sentence of life imprisonment without the possibility of release or parole, his sentence will be harsher than any sentence imposed upon David Carter.

Number of jurors who so find 0.

27. Even though the jury found defendant Tyrese Hyles guilty beyond a reasonable doubt, there is still some lingering or residual doubt of his guilt.

Number of jurors who so find 0.

28. Tyrese Hyles does not have a significant prior history of other criminal conduct.

Number of jurors who so find 0.

29. Tyrese Hyles does not have a significant prior history of other violent criminal conduct.

Number of jurors who so find 0.

30. Tyrese Hyles has made a good adjustment to being incarcerated while awaiting trial.

Number of jurors who so find 0.

31. Tyrese Hyles has responded well to structured environments, and would likely make an acceptable adaptation to prison if he were sentenced to life imprisonment.

Number of jurors who so find 0.

32. Tyrese Hyles poses no risk of future danger to the public while in prison for the rest of his life.

Number of jurors who so find 0.

33. Tyrese Hyles is part of an extended family whose members will assist him in his adjustment to permanent incarceration.

Number of jurors who so find 0.

34. Tyrese Hyles has matured since his incarceration and has a significantly different outlook and philosophy.

Number of jurors who so find 0.

35. Tyrese Hyles has been religious since his incarceration and counsels others on faith and prayer.

Number of jurors who so find 0.

36. Tyrese Hyles is a creative, artistic person who has demonstrated the capacity to be a loving and caring person.

Number of jurors who so find 0.



37. Tyrese Hyles has actively supported, nurtured and loved his younger siblings, Tiawanna and Joshon, while they were growing up in poverty in Chicago.

Number of jurors who so find 0.

38. Tyrese Hyles served as the head of the family after his sister LaTonya returned to Caruthersville.

Number of jurors who so find 0.

39. Tyrese Hyles, while incarcerated, maintains a supportive and positive role within his immediate family.

Number of jurors who so find 0.

40. Tyrese Hyles has been a source of advice, counsel and support to his extended family, which has benefitted the lives of those to whom he has given such counsel.

Number of jurors who so find 0.

41. That Tyrese Hyles has actively supported, nurtured and loved his children throughout their lives.

Number of jurors who so find 0.

42. That Tyrese Hyles has actively supported, nurtured and loved his children while he has been incarcerated awaiting trial.

Number of jurors who so find 0.

43. If sentenced to life imprisonment without the possibility of release or parole, Tyrese Hyles will continue to provide nurturing and love to his son, Tyrese Hyles, Jr., the child of Carolyn Hall.

Number of jurors who so find 0.

44. If sentenced to life imprisonment without the possibility of release or parole, Tyrese Hyles continue to provide nurturing and love to Jasmine, Delano and Tyreshia, the other children of Carolyn Hall.

Number of jurors who so find 0.

45. If sentenced to life imprisonment without the possibility of release or parole, Tyrese Hyles will continue to provide nurturing and love to his son, Demetrus Tyrese Hyles, the child of Dyvonne Miller.

Number of jurors who so find 0.

46. Tyrese Hyles has counseled his children to avoid violence and that they should not pursue criminal activity or risk incarceration.

Number of jurors who so find 0.

47. The execution of Tyrese Hyles will cause his family to suffer significant grief and loss.

Number of jurors who so find 0.

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

**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 II, Murder-for-Hire, we determine, by unanimous vote, that a sentence of death shall be imposed.

YES \_\_\_\_\_

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):

\_\_\_\_\_  
Foreperson

Date 6/9, 05

**B. Sentence of Life in Prison Without Possibility of Release**

As to Count II, Murder-for-Hire, 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.

\_\_\_\_\_  
Foreperson

Date: \_\_\_\_\_, \_\_\_\_\_

**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.

[Redacted signature area]

Foreperson

Date: 6/9, 2005