

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA

v.

TELDRIN FOSTER,
JOHN GAINES A/K/A
MARTY GAINES,
JERRY BAPTISTE, AND
CARLA JACKSON

Criminal Action No.

1:20-CR-00296-JPB

United States' Proposed Voir Dire Questions

The United States of America, by Ryan K. Buchanan, United States Attorney for the Northern District of Georgia, and Tal C. Chaiken and Samir Kaushal, Assistant United States Attorneys, and by Glenn S. Leon, Chief of the Fraud Section, and Siji Moore, Trial Attorney, respectfully files this list of proposed voir dire questions. The United States requests that each party be given 30 minutes to conduct voir dire.

Case Related Conflicts

1. This case involves allegations that the defendants engaged in conspiracies to fraudulently obtain Paycheck Protection Program funds. Do any of you have any personal knowledge of the facts of this case, or about the defendants, which has not come from what you have learned in court so far today?

2. In this case, you will hear that the criminal investigation was conducted primarily by law enforcement officers with the FBI. Have you, your relatives, or your close friends had any experience with the FBI or any other agency of the United States government, which could cause unfair prejudice to the government?

3. Some of the witnesses for the United States may be federal agents. For example, some witnesses may be from the FBI. Do you feel that you might tend to favor or disfavor these witnesses, or give them more or less credibility, just because they are federal agents?

4. Do you otherwise have a strong bias for or against law enforcement? Would your belief affect your ability to serve as a fair and impartial juror?

5. Have you, a relative, or a close friend ever sought or obtained a Paycheck Protection Program loan? Is there anything about that experience that might affect your ability to serve as a fair and impartial juror?

General Questions

6. Have any of you ever worked for a government agency, whether federal, state, or local, that you have not told us about already?

7. Have any of you, your relatives, or your close friends ever had a negative experience with any federal, state, or local agency that could bias you against the prosecution?

8. Have any of you, your relatives, or your close friends ever been involved in a lawsuit or any kind of litigation with the United States government?

9. Have any of you ever posted bond or acted as a surety for someone who was arrested or detained in a criminal case?

a. If so, who was the person, and what was the crime charged?

10. Have any of you, your relatives, or your close friends ever been convicted of a non-traffic criminal violation of either federal or state law? If so: (at bench or *in camera*, if juror prefers):

a. Who was the family member or close friend?

b. What type of crime was it?

c. When did it occur?

d. Did you testify?

e. Was there anything that happened with the police, the prosecutor, the defense attorney, or the court that left you upset?

f. Was there anything about this experience that would cause you to be unable to be fair and impartial in this trial if you are selected as a juror?

11. Have any of you, or any member of your immediate family, ever received any legal training, practiced law, or worked in an attorney's office?

- a. If so, please state who received the legal training, the type of training, the area of the law involved, and the employers.

12. Have any of you, or any member of your immediate family, ever studied criminal justice or worked in the criminal justice system as a law enforcement officer, probation officer, parole officer, or in some other similar position?

13. Your verdict must be based on the facts and evidence of the case. Your duty, as jurors, is to judge guilt or innocence based upon the evidence. It is the duty of the judge to instruct you on the law and to determine punishment if you vote guilty. The law does not permit you to consider emotion, sympathy, prejudice, vengeance, fear, or hostility. Do any of you believe that you would have difficulty following this rule?

14. The law does not permit you to consider the issue of punishment because it has nothing to do with guilt or innocence. Would any of you vote “Not Guilty” – no matter what the evidence indicates – merely because the charged crimes may result in a prison sentence?

15. Do any of you have any beliefs, whether moral, religious, philosophical, or otherwise, that would prevent you from being a fair and impartial juror, or that would make it difficult for you to sit in judgment of the defendant?

Dated: January 4, 2024.

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