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

ATLANTA DIVISION

UNITED STATES OF AMERICA	)	
	)	
	)	
v.	)	1:20-CR-228-2 (MHC) (JKL)
	)	
	)	
DANIEL ERIC JAY	)	
_____	)	

DANIEL ERIC JAY'S
PROPOSED VOIR DIRE QUESTIONS

COMES NOW, Defendant DANIEL ERIC JAY, by and through the undersigned attorney, and asks that he be allowed to ask the following questions during the voir dire process, and that he be allowed to ask reasonable natural or routine follow-up questions generated from the responses provided by the prospective jurors:

[GENERAL QUESTIONS]

RELATIONSHIP WITH PERSONS IN CASE

a. Does anyone here know the attorney for Mr. Jay: Leigh Burton Finlayson ?

b. Does anyone here know the attorneys for the United States including the U.S. Attorney, Ryan Buchanan, Assistant U.S. Attorney John Russell Phillips or

Assistant U.S. Attorney Bernita Malloy ?

c. Is anyone here related to or acquainted with any secretary, investigator, attorney or employee of the United States Attorney's office?

d. Is anyone here employed by a law enforcement agency, related to or closely acquainted with any employee of a state, county or a federal law enforcement agency such as the Small Business Administration - Office of Inspector General (OIG), or the FBI ?

e. Has anyone here ever worked as a volunteer or employee for any law enforcement agency or prosecutor's office on the local, state, or federal level ?

f. Has anyone here ever worked for any prison, jail or correctional institution?

g. Does anyone here know Judge Cohen ?

h. Anyone here know any other judges at the State or Federal level?

i. Anyone here know or heard of any of the following individuals or entities:

i. MAURICE FAYNE, aka "Arkansas Mo" ?

ii. Fayne Trucking Company, also called Flame Trucking Company

iii. MICHAELSARGENT

iv. CARRIE CAPONE

v. SBA-OIG agent SARA OLIVER

[Other agent names to be supplied].

vi. ELIZABETH BAUN

vii. LAURA WOLF

viii. DARRON BROWN.

[Other witness names to be provided].

j. Does anyone here know any of the other prospective jurors?

k. Who here has started their own business ?

l. Who here, other than the people who just raised their hands, has worked for a start-up company or business ?

m. Who here has used an on-line dating service, like "Match dot.com" or "E Harmony" ?

n. Anyone here have worked for Walmart ?

o. Who here has worked for Amazon ?

p. Who has worked for UPS ?

q. Who has worked for a trucking company ?

r. Who here has watched the TV show, “Love and Hip Hop” ?

s. Who here follows or watches boxing ?

t. Who here likes going to casinos ?

u. Who here has been the victim of a fraud or scam, or has a close friend or family member who has been a victim of a scam or fraud ?

v. Who here has been the victim of a serious crime, or had a close friend or family member be a victim of a serious crime ?

w. Who here has ever invested in a private business venture, such as a real state project or start-up company, (something other than just investing in the stock market).

x. Who here has received or applied for a PPP [Paycheck Protection Program] loan ?

y. Who here has a close friend or relative who has received a PPP loan ?

z. Besides those questions asked by the Court and us today, do any of you know what this case is about?

NATURE OF THE CHARGES.

aa. In this case, the Government has charged, Mr. Jay with an offenses involving bank fraud, wire fraud and conspiracy to commit PPP loan fraud with a man

named MAURICE FAYNE, aka "Akansas Mo," and others. Is there anything about the nature of these charges that would make it difficult for any of you to sit as a fair and impartial juror?

bb. Has anyone here, or someone close to you, ever been charged with a crime?

cc. Does anyone here have strong feelings about defense attorneys or lawyers who represent people accused crimes?

LEGAL PRINCIPLES

A. In a criminal case the burden is on the prosecution to prove their case against the defendant beyond a reasonable doubt. Does anyone have any problems with the burden being placed on the prosecution?

B. Does anyone have any problem with the idea that under our Constitution the defendant is not required to prove anything?

C. Does anyone have any problem with the idea that a defendant is presumed innocent of the charges against him?

D. Does anyone have a problem with withholding judgment and not making any decision about this case until you have heard all of the evidence and are in the process of deliberating with the other jurors?

E. Has anyone read any newspapers, seen any news reports, or heard any news reports on the internet concerning anything about MAURICE FAYNE, DANIEL ERIC JAY or this case?

F. Has anyone heard anybody discussing this case?

G. Other than this voir dire process, has anyone discussed this case with anybody?

I. Has anyone here already formed an opinion about this case?

INDIVIDUAL QUESTIONS

1. Where born?
2. What is your educational background?
3. Tell us about your job. What do you do ?
4. If working, do you supervise people ? How many ?
5. What is your marital status?

6. What does your spouse do if employed ?

7 . Where (cities or towns) have you lived in for the last ten (10) years?

8. Do you have children? If so, please give sex, age, education, employment, place of residence, whether they are married, and if so, spouse's employment.

9. What magazines, newspapers, or periodicals do you normally read ?

10. What television programs do you normally watch ?

11. Where / how do you get most of your daily news or information?

12. Do you belong to any fraternal, civic, religious or social organization? If so, which ones? How long have you been a member? What is your role and the nature and extent of your participation?

13. How do you spend your time when you are not working?

JURY AND WITNESS EXPERIENCE

14. Have you ever appeared as a witness before in a court proceeding ?

If so, when and where?

15. Have you ever appeared as a witness in a criminal prosecution?

16. Have you ever served on a Grand Jury? If yes, when and where?

17. Have you ever had any jury experience before? If so, what kind and on how many juries have you served?

18. Were these in criminal or civil cases? (If in criminal cases):

i. What kind of case was it?

ii. Was it state or federal?

iii. Did you reach a verdict?

iv. Were you the foreperson ?

v. Did any of the criminal cases you heard in previous jury duty affect you in such a way as to make it difficult to sit on future criminal trials?

19. Have you served in the military? If so, what branch, how long and what rank did you achieve?

20. Did you ever serve as a member of any court martial?

21. While you were a member of the armed forces, were you ever assigned to any duties involving the military police or investigative work?

22. Do you want to be a juror?

WHEREFORE, DANIEL ERIC JAY asks that his counsel be allowed to ask prospective jurors the questions submitted herein and be allowed to ask reasonable

follow-up questions in response to those answers given.

Dated: This 23rd day of June, 2022.

Respectfully submitted,

s/ *L. Burton Finlayson*
L. BURTON FINLAYSON
Attorney For DANIEL JAY
Georgia Bar Number: 261460

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CERTIFICATE OF SERVICE

This is to certify that I have this day electronically filed the foregoing Proposed Voir Dire with the Clerk of Court using the CM/ECF system which will automatically send email notifications of such filing to all counsel of record including the following:

Mr. Russell Phillips .
Assistant United States Attorney
600 U.S. Courthouse
75 Ted Turner Drive, S. W.
Atlanta, Georgia 30303

DATED: This 23rd day of June, 2022.

s/ *L. Burton Finlayson*

L. BURTON FINLAYSON
ATTORNEY FOR DANIEL JAY
State Bar Number: 261460