

Jury Instructions

United States v. Jon Cascella
(Cr. No. 17-38 WES)

Introduction

At this time, it is my duty to instruct you on the law applicable to this case. You must accept the rules of law that I give you and apply them to the facts in this case as you find those facts to be.

In applying the law that I am about to explain to you in these instructions, you must consider the instructions as a whole. You should not choose one part and disregard another. You must accept and apply the law as I give it to you in its entirety.

You must accept and apply the rules of law that I give to you whether you agree with them or not. It would be a violation of the oath you took as jurors to base a decision on any version of the law other than that contained in my instructions, just as it would be a violation of that oath to return a decision upon anything but the evidence in this case. It is not up to you to decide what the law is or should be. Your duty is to apply the law as I explain it to you.

You should not worry about memorizing or writing down all of the instructions as I state them, because I will send into

the jury room a written copy of my instructions. However, you must know that the law is as I will give it to you from the bench; the written copy is merely a guide to assist you.

Presumption of Innocence

As I told you at the start of this trial, the defendant, Jon Cascella, is presumed to be innocent of the accusations against him. This presumption of innocence remains with Mr. Cascella unless and until the government presents evidence satisfying you beyond a reasonable doubt that Mr. Cascella is guilty.

The presumption of innocence is sufficient to require a not guilty verdict unless you find that such evidence has been presented.

If you find that the government has proven Mr. Cascella guilty beyond a reasonable doubt, the presumption of innocence disappears and is of no further avail to him. However, until that time, the presumption remains with Mr. Cascella.

Selection of Counsel

This criminal case has been brought by the United States government. The government has been represented at this trial by an assistant United States attorney, Milind Shah.

The Sixth Amendment to the United States Constitution guarantees the right to counsel in criminal proceedings. In this case, the defendant, Jon Cascella, chose prior to the start of trial to represent himself, and as you know, mid-trial I granted his request of hybrid representation. It is his right to represent himself if he so chooses, and it was my decision to allow hybrid representation.

The decision to represent himself, and to utilize counsel as he has, has no bearing on whether he is guilty or not guilty. No adverse inference may be drawn against Mr. Cascella for making these decisions. Indeed, the decisions should have no effect on your consideration of the evidence presented in this case.

Proof of All Elements

I will shortly explain to you the offenses with which the Mr. Cascella is charged and the elements the government must prove in order to establish that he is guilty of these offenses.

In order for the government to prove Mr. Cascella guilty of an offense, it must convince you, beyond a reasonable doubt, that it has proved each and every element of that offense. Possibilities or even probabilities are not sufficient.

If the government fails to prove any one or more elements of an offense beyond a reasonable doubt, you must find Mr. Cascella not guilty of that offense.

On the other hand, if you are convinced, beyond a reasonable doubt, that all elements of an offense with which Mr. Cascella has been charged have been proved, then you should find him guilty of that offense.

Bear in mind that the requirement that the government prove every element of the offenses with which Mr. Cascella is charged does not mean that the government is required to prove every statement contained in the indictment. What it means is that the

government must prove facts sufficient to prove all of the elements of the offenses with which Mr. Cascella is charged, as I have explained them.

Stipulations

The evidence in this case includes a fact to which the parties have agreed or stipulated. A stipulation means simply that the government and the defendant accept the truth of a particular proposition or fact. Since there is no disagreement, there is no need for evidence apart from the stipulation. You must accept the stipulation as fact to be given whatever weight you choose.

You heard evidence through a stipulation that Mr. Cascella was previously convicted of a crime punishable by imprisonment for a term exceeding one year. This prior conviction was brought to your attention only because it tends to establish one of the elements of the crime of being a felon in possession of a firearm. You are not to speculate as to the nature of the prior conviction.

I instruct you that Mr. Cascella's prior conviction is introduced only for the fact that such conviction constitutes an element of an offense with which he is now charged. You may not allow yourself to be influenced by the prior conviction or

consider it as evidence of the Mr. Cascella's criminal propensity or bad character. The prior conviction was admitted for a limited purpose and you may only consider it for that limited purpose.

Defendant's Constitutional Right Not to Testify

A defendant in a criminal trial has a constitutional right not to testify and no inference of guilt, or of anything else, may be drawn from the fact that the defendant did not testify. For any of you to draw such an inference would be wrong; indeed, it would be a violation of your oath as a juror.

Reasonable Doubt

As I have said, the burden is upon the government to prove beyond a reasonable doubt that Mr. Cascella is guilty of the charges made against him. It is a strict and heavy burden, but it does not mean that Mr. Cascella's guilt must be proved beyond all possible doubt. It does require that the evidence exclude any reasonable doubt concerning the Mr. Cascella's guilt.

A reasonable doubt may arise not only from the evidence produced but also from a lack of evidence. Reasonable doubt exists when, after weighing and considering all the evidence, using reason and common sense, jurors cannot say that they have a settled conviction of the truth of the charges.

Of course, a defendant is never to be convicted on suspicion or conjecture. If, for example, you view the evidence in the case as reasonably permitting either of two conclusions -

one that Mr. Cascella is guilty as charged, the other that he is not guilty - you will find the defendant not guilty.

It is not sufficient for the government to establish a probability, though a strong one, that a fact charged is more likely to be true than not true. That is not enough to meet the burden of proof beyond a reasonable doubt. On the other hand, there are very few things in this world that we know with absolute certainty, and in criminal cases the law does not require proof that overcomes every possible doubt.

Concluding my instructions on the burden, then, I instruct you that what the government must do to meet its heavy burden is to establish the truth of each part of the offenses charged by proof that convinces you and leaves you with no reasonable doubt, and thus satisfies you that you can, consistently with your oath as jurors, base your verdict upon it. If you so find as to the charges against Mr. Cascella, you will return a verdict of guilty on those charges. If, on the other hand, you think there is a reasonable doubt about whether the Mr. Cascella is guilty of the offenses, you must give him the benefit of the doubt and find him not guilty of those offenses.

Indictment - Effect

You will have the indictment with you in the jury room to help you remember the precise nature of the charges against Mr. Cascella.

I remind you, once again, that an indictment is nothing more than an accusation. It should not be considered as evidence of guilt. It may not even be the basis of an inference of guilt. All that it does is to bring this matter before you for determination. Beyond that, it has no significance whatsoever. It merely sets forth the elements of the offense which the government must prove beyond a reasonable doubt.

Definition of "On or About"

You will note the indictment charges that the offenses were committed "on or about" a certain date. The proof need not establish with certainty the exact date of the alleged offenses. It is sufficient if the evidence in the case establishes beyond a reasonable doubt that the offenses were committed on a date reasonably near the date alleged.

Summary of the Charges

The indictment in this case charges the Defendant Jon Cascella with nine counts.

Counts one through four charge him with distribution of methamphetamine;

Counts five and six charge him with distribution of five grams or more of methamphetamine;

Count seven charges him with being a felon in possession of a firearm;

Count eight charges him with possession of a firearm in furtherance of drug distribution; and

Count nine charges him with possession with intent to distribute five grams or more of methamphetamine.

Multiple Counts

Keep in mind, a separate offense is charged in each of the counts of the indictment. Each offense, and the evidence which applies to it, should be considered separately, and you should return separate verdicts as to each count unless I instruct you to do otherwise.

Counts One through Four: Distribution of Methamphetamine

Mr. Cascella is accused of four counts of distribution of methamphetamine. It is against federal law to distribute, that is, to transfer methamphetamine to another person. For you to find Mr. Cascella guilty of any one of these charges, you must be satisfied that the government has proven each of the following things beyond a reasonable doubt:

First, that Mr. Cascella on or about the dates specified in the indictment transferred methamphetamine to another person;

Second, that he knew that the substance was a controlled substance; and

Third, that he acted intentionally. In other words, that it was his conscious object to transfer the controlled substance to another person.

The term "distribute" means to deliver or transfer possession of a controlled substance to the possession to another person.

Counts Five and Six: Distribution of Five Grams or More of Methamphetamine

Mr. Cascella is accused of two counts of the distribution of five or more grams of methamphetamine. It is against federal law to distribute, that is, to transfer methamphetamine to another person. For you to find Mr. Cascella guilty of either of these charges, you must be satisfied that the government has proven, as to each count, all of the following things beyond a reasonable doubt:

First, that Mr. Cascella on or about the dates specified in the indictment transferred methamphetamine to another person;

Second, that he knew that the substance was a controlled substance;

Third, that he acted intentionally - in other words, that it was his conscious object to transfer the controlled substance to another person; and

Fourth, that the amount of methamphetamine transferred was at least five grams.

Count Seven: Being a Felon in Possession of a Firearm

Mr. Cascella is accused of one count of possessing a firearm in or affecting commerce after having been convicted of a crime punishable by imprisonment for more than one year. It is against federal law for a convicted felon to possess a firearm that was connected with interstate commerce. For you to find Mr. Cascella guilty of this crime, you must be satisfied that the government has proven each of the following things beyond a reasonable doubt:

First, that Mr. Cascella has been convicted in any court of at least one crime punishable by imprisonment for a term exceeding one year. Note that the parties have stipulated that Mr. Cascella has been convicted of a crime which is punishable

by imprisonment for a term exceeding one year. You are therefore to take this fact as proven.

Second, that Mr. Cascella, on or about May 4, 2017, knowingly possessed the firearm described in the indictment; and

Third, that the firearm possessed was connected with interstate commerce. This means that the firearm, at any time after it was manufactured, moved from one state to another. The travel need not have been connected to the charge in the indictment, need not have been in furtherance of any unlawful activity, and need not have occurred while the Defendant possessed the firearm.

The Government does not have to prove that Mr. Cascella knew his conduct was illegal. "Knowingly" means that the act was done voluntarily and intentionally, that is, not because of accident or mistake.

The term "firearm" means any weapon which will, is designed to, or may be readily converted to expel a projectile by the action of an explosive. The term "firearm" also includes the frame or receiver of such a weapon. The term "firearm" does not require that the weapon be operative.

The term "possess" means to exercise authority, dominion or control over something. It is not necessarily the same as legal ownership. The law recognizes different kinds of possession.

Possession includes both actual and constructive possession. A person who has direct physical control of something on or around his or her person is then in actual possession of it. A person who is not in actual possession, but who has both the power and the intention to exercise control over something is in constructive possession of it. A person must have actual knowledge of the weapon in order to have constructive possession of it. Briefness of contact alone does not preclude a finding of possession.

Whenever I use the term "possession" in these instructions, I mean actual as well as constructive possession.

Count Eight: Possession of a Firearm in Furtherance of a Drug Distribution Crime

Mr. Cascella is accused of possessing a firearm in furtherance of drug distribution. It is against federal law to possess a firearm in furtherance of drug distribution. For you to find Mr. Cascella guilty of this crime, you must be satisfied that the government has proven each of the following things beyond a reasonable doubt:

First, Mr. Cascella committed the crime of methamphetamine distribution described in Count Six of the indictment; and

Second, he knowingly possessed the firearm described in the indictment in furtherance of the commission of that crime.

A defendant possesses a firearm "in furtherance of" a crime if the firearm possession made the commission of the underlying crime easier, safer or faster, or in any other way helped the defendant commit the crime. There must be some connection between the firearm and the underlying crime, but the firearm need not have been actively used during the crime. For example, the acceptance of a firearm as payment for a controlled substance can establish such a connection.

The government does not need to prove that Mr. Cascella specifically intended to use or did use a firearm in the course of the drug transaction in order for you to convict him. The government need only prove Mr. Cascella's general intent - in other words, that he knew that he carried a firearm during the course of the drug offense conduct. But possession alone without proof of a relationship to the underlying crime is insufficient.

**Count Nine: Possession with Intent to Distribute Five Grams or
More of Methamphetamine**

Mr. Cascella is accused of possession with intent to distribute five grams or more of methamphetamine. It is against federal law to have methamphetamine in your possession with the intention of distributing it to someone else. For you to find Mr. Cascella guilty of this crime you must be convinced that the

government has proven each of these things beyond a reasonable doubt:

First, that Mr. Cascella on or about May 4, 2017, possessed methamphetamine, either actually or constructively;

Second, that he did so with a specific intent to distribute the methamphetamine over which he had actual or constructive possession

Third, that he did so knowingly and intentionally; and

Fourth, that the amount of methamphetamine involved was at least five grams.

It is not necessary for you to be convinced that Mr. Cascella actually delivered the methamphetamine to someone else, or that he made any money out of the transaction. It is enough for the government to prove, beyond a reasonable doubt, that he had in his possession what he knew was methamphetamine and that he intended to transfer it or some of it to someone else.

A person's intent may be inferred from the surrounding circumstances. Intent to distribute may, for example, be inferred from a quantity of drugs larger than that needed for personal use. In other words, if you find that Mr. Cascella possessed a quantity of methamphetamine - more than that which would be needed for personal use - then you may infer that he

intended to distribute methamphetamine. The law does not require you to draw such an inference, but you may draw it.

Entrapment

Mr. Cascella maintains that he was entrapped. A person is "entrapped" when he is induced or persuaded by law enforcement officers or their agents to commit a crime that he was not otherwise ready and willing to commit. The law forbids his conviction in such a case. However, law enforcement agents are permitted to use a variety of methods to afford an opportunity to a defendant to commit an offense, including the use of

undercover agents, furnishing of funds for the purchase of controlled substances, the use of informers and the adoption of false identities.

For you to find Mr. Cascella guilty of the crime with which he is charged and with respect to which he claims he was entrapped, you must be convinced that the government has proven beyond a reasonable doubt that Mr. Cascella was not entrapped. To show that Mr. Cascella was not entrapped, the government must establish beyond a reasonable doubt one of the following two things:

One, that the law enforcement agent or agents did not improperly persuade or talk Mr. Cascella into committing the crime. Simply giving someone an opportunity to commit a crime is not the same as persuading him, but persuasion, false statements or excessive pressure by law enforcement agents or an undue appeal to sympathy or friendship can be improper; OR

Two, that Mr. Cascella was ready and willing to commit the crime without any persuasion from law enforcement agents. You may consider such factors as: (a) the character or reputation of the Mr. Cascella; (b) whether the initial suggestion of criminal activity was made by the government; (c) whether Mr. Cascella was engaged in the criminal activity for profit; (d) whether Mr.

Casella showed reluctance to commit the offense, and whether that reluctance reflects the conscience of an innocent person or merely the caution of a criminal; (e) the nature of the persuasion offered by the government; and (f) how long the government persuasion lasted.

Method of Assessing Evidence

Now that you know what it is that the government must prove and the standard of proof to be applied, the next question is how do you determine whether the government has proved these things beyond a reasonable doubt.

Obviously, you must make your determination solely from the evidence properly before you and from all reasonable and legitimate inferences to be drawn from that evidence.

The evidence that is properly before you consists of:

1. The testimony of the witnesses;
2. The exhibits that I have admitted into evidence; and
3. Any stipulations among the parties in which they agree
as to what the facts are.

From that evidence, you may draw whatever conclusions are reasonable under the circumstances.

The evidence that is properly before you does not include:

1. Comments or statements by the government's attorneys or by Mr. Cascella when he was not testifying on the witness stand;
2. Answers given by witnesses which I ordered stricken and instructed you to disregard;
3. Documents, photographs, or other items which may have been referred to but have not been admitted into evidence. Since they are not proper evidence, you should not speculate or guess as to what they might say or show and you may not consider them except to the extent that, and for the purpose that, they may have been read or shown to you during the course of the trial; or

4. Anything you may have heard or seen outside of this courtroom regarding the events in question or the participants in this case.

Circumstantial Evidence

As I mentioned previously, you may consider only the evidence that is properly before you. However, that does not mean that, in determining the facts, you are limited to the statements of the witnesses or the contents of the exhibits.

In reaching your conclusions, you are permitted to draw, from facts which you find have been proved, such reasonable inferences as seem justified in the light of your experience.

Inferences are deductions or conclusions which reason and common sense lead you to draw from facts which have been established by the evidence in the case.

Such evidence is sometimes called circumstantial evidence. To put it another way, a fact may be proved either by direct evidence or by circumstantial evidence. Direct evidence includes such things as the testimony of an eyewitness who personally observed the fact in question or a photograph or document showing the actual thing described.

Circumstantial evidence consists of proof of a series of facts or circumstances from which the existence or nonexistence of another fact may be reasonably inferred.

The law makes no distinction between the weight to be given to direct and circumstantial evidence. However, it does require

that any fact required to convict the Defendant be proved beyond a reasonable doubt.

Witness Credibility - General Factors

As to the testimony of witnesses, your principal task is to determine the credibility of the witnesses and the weight you will give to the testimony of each.

In making that determination, there are a number of factors that you may consider:

1. The opportunity or lack of opportunity the witness had to acquire knowledge of the facts about which the witnesses testified. In other words, was the witness in a position to have accurately perceived the facts that the witness related to you.
2. The reliability or unreliability of the witness's memory. In other words, did the witness have a clear recollection of what happened or was the witness's memory uncertain or unclear.
3. The witness's appearance on the stand. Did the witness appear to be a person who was telling the complete and unadulterated truth, or did it appear that the witness was slanting things one way or another either consciously or unconsciously?
4. The probability or improbability of the witness's testimony. Did what the witness had to say sound

reasonable or plausible or did it appear to be highly unlikely or impossible?

5. Whether the witness had anything to gain or lose from the outcome of this case. In other words, was the witness totally impartial or did the witness have some stake in the outcome or some reason to favor one side or the other?

Witness Number - Weight of Testimony

In evaluating the testimonial evidence, remember that you are not required to believe something to be a fact simply because a witness has stated it to be a fact and no one has contradicted what that witness said. If, in the light of all of the evidence, you believe that the witness is mistaken or has testified falsely or that he or she is proposing something that is inherently impossible or unworthy of belief, you may disregard that witness's testimony even in the absence of any contradictory evidence.

Just because there may be more witnesses testifying on one side of an issue than on the other does not mean that the weight of the evidence lies in favor of the greater number of witnesses. Once again, it is the credibility or quality of the testimony that determines where the weight of the evidence lies.

Witness Credibility - Government Agents

The fact that a witness may be employed by a law enforcement agency does not, by itself, mean that you should give that witness's testimony any greater or any lesser weight simply because of that fact. You should assess the credibility and testimony of such a witness by applying the same factors as you would with respect to any other witness.

Use of Undercover Agents

You have heard testimony that government witnesses worked undercover during this investigation. There is nothing illegal or improper with the government employing these techniques. Whether or not you approve of the use of an undercover agent to detect criminal acts is not to enter into your deliberations in any way. If you are satisfied beyond a reasonable doubt that Mr. Cascella committed the offenses charged in the indictment, the fact that the government made use of an undercover agent is irrelevant to your determination.

Weighing the Testimony of an Expert Witness

You have heard testimony from persons described as experts. An expert witness has special knowledge or experience that allows the witness to give an opinion.

You may accept or reject such testimony. In weighing the testimony, you should consider the factors that generally bear upon the credibility of a witness as well as the expert witness's education and experience, the soundness of the reasons given for the opinion, and all other evidence in the case.

Remember that you alone decide how much of a witness's testimony to believe, and how much weight it should be given.

Statements by Defendant

You have heard evidence that Mr. Cascella made a statement in which the government claims he admitted certain facts.

It is for you to decide (1) whether Mr. Cascella made the statement, and (2) if so, how much weight to give it. In making those decisions, you should consider all of the evidence about the statement, including the circumstances under which the statement may have been made and any facts or circumstances tending to corroborate or contradict the version of events described in the statement.

Objections by Counsel

During this trial there have been occasions when the attorneys and Mr. Cascella have objected to a question that was asked of a witness. You should not penalize the parties for objecting. It is the attorney's right and duty, as well as the right and duty of those representing themselves like Mr. Cascella, to protect the client's (or in the case of Mr. Cascella, his own) interests by objecting to what the attorney (or the litigant representing himself) may believe is evidence that does not satisfy the requirements of the rules of evidence.

If I sustained the objection, it is important that you not speculate about what the answer to the objected-to question might have been. By sustaining the objection, the Court has determined that the evidence should not be considered by you.

Use of Recordings and Transcripts

During the trial, you heard conversations that were recorded. This is proper evidence for you to consider. In order to help you, I allowed you to have a transcript to read along as the recording was played. The transcript was merely to help you understand what was said on the recording.

If you believed at any point that the transcript said something different from what you heard on the recording, remember it is the recording that is the evidence, not the transcript. Any time there is a variation between the recording and the transcript, you must be guided solely by what you heard on the recording and not by what you saw in the transcript.

Notetaking

During the trial, I permitted you to take notes. Please remember that your notes are not evidence, and that not everything you wrote down is necessarily what was said. Thus, when you return to the jury room to discuss the case, do not assume simply because something appears in somebody's notes that it necessarily took place in court. Instead, it is your collective memory that must control as you deliberate upon the verdict.

Jury Recollection Controls - Rehearing Testimony

If any reference by the Court or by counsel to matters of evidence does not coincide with your own recollection, it is your recollection which should control during your deliberations.

Occasionally, juries want to rehear testimony. Understand that in a relatively short trial, generally, your collective recollection should be sufficient for you to be able to deliberate effectively. However, if you feel that you need to rehear testimony, I will consider your request. Keep in mind that this is a time-consuming and difficult process, so if you think you need this, consider your request carefully and be as specific as possible.

The Government as a Party

The mere fact that this case is brought in the name of the United States of America does not entitle the prosecution to any greater consideration than that accorded to the Defendant. By the same token, it does not mean that the prosecution is entitled to any less consideration. All parties, whether government or individuals, stand as equals at the bar of justice.

Exhibits

In addition to assessing the credibility of the witnesses and the weight to be given to their testimony, you should also evaluate the exhibits which you will have with you in the jury room. Examine them and consider them carefully.

However, bear in mind that merely because an exhibit has been admitted into evidence does not mean that you are required to accept it at face value. Like the testimony of a witness, the significance of an exhibit or the weight you attach to it will depend upon your evaluation of that exhibit in light of all the facts and circumstances of the case.

Conduct of Court - General

As I have said before, it is up to you to determine the facts in this case. You should not interpret anything I have said or done during this trial as expressing an opinion on my part as to what the facts in this case are. I have not intended to express any such opinion, and you should not be concerned about what my opinions might be regarding the facts. That is a matter for you to decide.

Bias and Prejudice

Neither bias in favor of any person or cause, prejudice against any person or cause, nor sympathy of any kind should be permitted to influence you in the course of your deliberations.

All that any party here is entitled to, or, for that matter expects, is a verdict based upon your fair, scrupulous, and conscientious examination of the evidence before you and your application of the law as I have explained it to you.

Implicit Bias

A type of bias of which I want to make you all aware is called "implicit bias." "Implicit bias" is a term used by social scientists to describe the reality that everyone, including me, has feelings, assumptions, perceptions, fears, and stereotypes, that is, "implicit biases," of which we may not be aware. These hidden thoughts can impact what we see and hear, how we remember what we see and hear, and how we make important decisions.

Because you are making very important decisions in this case, I strongly encourage you to evaluate the evidence carefully and to resist jumping to conclusions based on personal likes or dislikes, generalizations, gut feelings, prejudices, sympathies, stereotypes, or biases.

The law demands that you return a just verdict, based solely on the evidence, your individual evaluation of that evidence, your reason and common sense, and these instructions. Our system of justice is counting on you to render a fair decision based on the evidence, not on biases.

Verdict - Unanimity Required

In order to return a verdict in this case, all twelve of you must agree as to what that verdict will be. You cannot return a verdict of either guilty or not guilty against Mr. Cascella unless your decision is unanimous, meaning you all agree.

Therefore, there are two things that you should keep in mind during the course of your deliberations.

On the one hand, you should listen carefully as to what your fellow jurors have to say and should be open minded enough to change your opinion if you become convinced that it was incorrect.

On the other hand, you must recognize that each of you has an individual responsibility to vote for the verdict that you believe is the correct one based on the evidence that has been presented and the law as I have explained it. Accordingly, you should have the courage to stick to your opinion even though some or all of the other jurors may disagree as long as you have listened to their views with an open mind.

Selection of Foreperson and Duty to Deliberate

When you begin your deliberations, you should elect one member of the jury as your foreperson. The foreperson will preside over the deliberations and speak for you here in court.

You will then discuss the case with your fellow jurors to reach agreement if you can do so. Your verdict must be unanimous. Each of you must decide the case for yourself, but you should do so only after you have considered all of the evidence, discussed it fully with the other jurors, and listened to the views of your fellow jurors.

Do not be afraid to change your opinion during the course of the deliberations if the discussion persuades you that you should. But do not come to a decision simply because other jurors think it is right.

Communications with the Court

If it becomes necessary during your deliberations to communicate with me, you may send a note through the marshal, signed by the foreperson. No member of the jury should ever attempt to contact me except by a signed writing; and I will communicate with any member of the jury on anything concerning the case only in writing, or here in open court.

Return of Verdict

A verdict form has been prepared for you by the Court. After you have reached unanimous agreement on a verdict, your foreperson will fill in the form that has been given to you, sign and date it, and advise the Court that you are ready to return to the courtroom.