

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

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.) Case No. 09-00296-02-CR-W-FJG
)
ERIC BURKITT,)
Defendant.)

DEFENDANT BURKITT'S VOIR DIRE QUESTIONS

Comes now defendant Eric Burkitt, and submits the following request in the following proposed voir dire questions be asked of the jury panel during jury selection:

1. That Mr. Burkit joins in the requested voir dire questions filed by counsel for codefendant Steve Larson. In addition to defendant Burkitt would specifically request the following:

2. There will be evidence in this trial that defendant Burkitt was an employee of the Kansas City Southern Railroad during the dates alleged in this conspiracy. Is there anyone who is either employed by that organization or is associated with someone who is employed by that organization?

3. Has anyone ever been a member of any type of motorcycle club? If there is anything about that please elicit details.

4. In this case there will be evidence with regard to two such motorcycle clubs, one called the El Forastero and the other The Galloping Goose motorcycle club? Is there anyone on the panel who has either themselves been a member of either one of

these clubs or who knows someone who is a member of either one of those clubs? Obtain details as necessary with follow-up.

- a. Is there anything about that association which caused you to come away with a negative image of motorcycle riders?
- b. There may be testimony with regard to the term “1 %” (one per center) as used in contact with motorcycle clubs? Is there anyone who is familiar with that terminology? Please obtain details. Is there anything about that experience or familiarity that would cause you to automatically feel a person claiming to be a “1%” (one per center) would be more likely to commit a crime?

5. Is there anyone who believes that merely being a member of a motorcycle club would make a person more likely to commit crimes?

6. Has anyone ever had any contact or association with any other motorcycle club that has not been mentioned? If so is there anything about that experience the left you with any negative image of motorcycle club members?

7. Does anyone have a strong feeling about any motorcycle club or its members that would prevent them from sitting in judgment of a person who either a member or affiliated in any way with the motorcycle club?

7. Does anyone have any images of motorcycle clubs that would interfere with their ability to sit as a fair and partial juror in this case?

WHEREFORE, Mr. Burkitt through counsel prays that the forgoing questions be posed to the jury panel in this case and that this Honorable Court make such additional inquiries of any panel member whose answers to any of these questions might call for additional inquiry on the part of the Court in order to determine if there is any possibility of prejudice on the part of that panel member.

Respectfully submitted,

LAW OFFICES OF F.A. WHITE, JR., P.C.

/s/ F.A. White, Jr.

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ATTORNEY FOR DEFENDANT

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing was served upon the following via the Court's electronic filing system and a copy electronically served on all parties this 1st day of December, 2009. .

/s/ F.A. White, Jr. _____

F.A. (Al) White, Jr.