

Sunday, June 1, 1997 (morning)

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Criminal Action No. 96-CR-68

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TIMOTHY JAMES McVEIGH,

Defendant.

REPORTER'S TRANSCRIPT

(Trial to Jury - Volume 129)

Proceedings before the HONORABLE RICHARD P. MATSCH,
Judge, United States District Court for the District of
Colorado, commencing at 11:48 a.m., on the 1st day of June,
1997, in Courtroom C-204, United States Courthouse, Denver,
Colorado.

Proceeding Recorded by Mechanical Stenography, Transcription
Produced via Computer by Paul Zuckerman, 1929 Stout Street,
P.O. Box 3563, Denver, Colorado, 80294, (303) 629-9285

APPEARANCES

JOSEPH H. HARTZLER, LARRY MACKEY, BETH WILKINSON,
SCOTT MENDELOFF, JAMIE ORENSTEIN, AITAN GOELMAN, and VICKI
BEHENNA, Special Attorneys to the U.S. Attorney General, 1961
Stout Street, Suite 1200, Denver, Colorado, 80294, appearing
for the plaintiff.

STEPHEN JONES and ROBERT NIGH, JR., Attorneys at Law,
Jones, Wyatt & Roberts, 999 18th Street, Suite 2460, Denver,
Colorado, 80202; JERALYN MERRITT, 303 East 17th Avenue, Suite
400, Denver, Colorado, 80203; CHERYL A. RAMSEY, Attorney at
Law, Szlichta and Ramsey, 8 Main Place, Post Office Box 1206,
Stillwater, Oklahoma, 74076, and CHRISTOPHER L. TRITICO,
Attorney at Law, Essmyer, Tritico & Clary, 4300 Scotland,
Houston, Texas, 77007, appearing for Defendant McVeigh.

* * * * *

PROCEEDINGS

(In open court at 11:58 a.m.)

THE COURT: Be seated, please.

(Jury in at 11:59 a.m.)

THE COURT: Members of the jury, good morning.

JURORS: Good morning.

THE COURT: I brought you in about 30 seconds early because I don't know what to say when it turns right up to noon: "Good noon," or "Good afternoon." So I was able to say, "Good morning."

And I am going to grant your request that you recess your deliberations now and take the rest of the day off, as it were, and we will do that. And then tomorrow, it being a regular business day, we will return to the regular court schedule and have you here to begin your -- resume your deliberations at 8:30 in the morning, following the regular schedule.

But take advantage of this time now. I'm sure that you deserve the opportunity to rest and relax a bit, and that's the purpose it. But, of course, the fact that you're in recess does not mean, as you well know, that you're relieved of your responsibilities under your oath to be able to decide this case based solely on the law and the evidence that was presented to you in the course of this trial and also to remember your responsibility as 1/12 of the jury, each of you, to conduct your deliberations in this case as the group.

And therefore, during this time, once again I must caution you against any of you in smaller groups discussing the case. Put it at rest. Wait, then, until 8:30 tomorrow morning, when you're back in the jury room in this courthouse and formally engaging in the deliberations that you have been following here. And be careful, then, of course. We'll help you to be careful by continuing the sequestration; but obviously, you must be careful to avoid being in contact with anything that would influence, could influence you, or appear to influence you, knowing that it is your duty to follow the law and decide according to the evidence.

So with that, members of the jury, we hope that you do have the opportunity now to rest and relax as much as you can and come back to us tomorrow with renewed vigor for your duties.

You're excused till 8:30 tomorrow morning.

(Jury out at 12:02 p.m.)

THE COURT: All right. Court will again be in recess subject to call.

(Recess at 12:03 p.m.)

* * * * *

REPORTER'S CERTIFICATE

I certify that the foregoing is a correct transcript from the record of proceedings in the above-entitled matter. Dated at Denver, Colorado, this 1st day of June, 1997.

Paul Zuckerman

