

THEREUPON, ROSETTA C. APRIL, a member of the prospective jury panel, having been previously sworn, was examined and testified on voir dire, as follows:

THE COURT:                      Mrs. April, would you be good enough now to relax. If you want to set your purse down alongside of you you can, and will recall that you were placed under oath this morning, in response to the questions that Counsels are going to put to you.

And will you keep your voice up, please, so that each one of us in the room can hear you, and Mr. Romito must record all of your responses, so you must respond audibly so that each of us in the room can hear you.

Will you do that, please?

MRS. ROSETTA C. APRIL:    Very well.

THE COURT:                      Counselor  
Spellacy or Corrigan?

MR. SPELLACY:                  If it please  
the Court.

## VOIR DIRE EXAMINATION OF ROSETTA C. APRIL

By Mr. Spellacy:

Q Mrs. April, it is Rosetta C. April, is that right?

A Yes.

Q You live at 4837 South Park Drive, Fairview Park, is that correct?

A Correct.

Q How long have you lived at that address?

A I have lived there since October 9, 1957.

Q Prior to that where did you live?

A I lived on 214th, in the same neighborhood, We rented and then we bought a home.

Q That would be also in Fairview Park?

A Yes, and that was in 1953, and I came from St. Louis, Missouri, to Cleveland here.

I had no prior address to that.

Q Prior to 1954 you lived in St. Louis?

A I lived in St. Louis.

Q Now, your husband is with the Ohio Loan and Discount Company?

A Correct.

Q And you are a housewife, is that correct?

A Yes.

Q How long has your husband been with the Ohio Loan and

Discount Company?

A I believe it was 1954. He made a change when we came here.

Q What does he do at the Ohio Loan and Discount Company?

A He is the vice president.

Q Where are they located?

A And director. On Euclid.

Q In downtown Cleveland?

A Yes.

Q Do you have any children?

A I have one daughter.

Q And is she at home?

A No, she just got married.

Q Is she living in Cleveland?

A She lives in Lancaster, Ohio.

Q Lancaster, Ohio. Did she go to school in the Cleveland area?

A She graduated from Bay View High School and graduated from Ohio State College.

Q Ohio State College?

A Yes.

Q Was that recently that she graduated from Ohio State?

A She graduated June 9th of this year.

Q June 9th?

A And married June 18th.

Q And now she lives in Lancaster?

A She now lives in Lancaster. She is a teacher.

Q Is there anybody else in your home?

A No.

Q You realize that this is the case of the State of Ohio versus Sam Sheppard, do you understand?

A Yes.

Q Have you read about this case at any time?

A Yes.

Q When was it that you read about this particular case?

A Well, it was in all the papers, in the first or second year I moved here. It was in everything that you saw.

Q And that would have been about 1954, is that correct?

A Yes.

Q Have you read anything other than newspapers with regard to this particular case?

A No, I haven't.

Q Just the newspapers, is that right?

A Yes.

Q Did you read anything since 1954 about this particular case?

A You mean the books that were on the stands?

Q Yes.

A No, I haven't.

Q Have you read any of the newspapers recently with



regard to this particular case?

A No.

Q Now, as a result of having read the newspaper accounts that you have described here, have you come to any opinion or expressed an opinion as to the innocence or guilt of Sam Sheppard?

A You mean a definite opinion?

Q Yes.

A I really don't have a definite opinion. I just don't know.

Q My question, then, is -- my next question -- is his Honor Judge Talty were to instruct you that if selected as a juror you are not to consider anything other than the evidence that is presented here in this courtroom, could you as a juror abide by that instruction?

A Certainly.

Q And could you, based on the evidence presented here in this courtroom, and the law that Judge Talty gives to you, return a verdict that will be fair both to this defendant and to the people of Ohio?

A Well, I hope I can. I feel I can.

Q In other words, can you put outside your mind anything that you might have read or any opinions that you might have with regard to this particular case, and be fair to both sides of the trial table?

A Well, I think there is one thing that I should state. I am acquainted with Betty Sheppard. I played bridge with her in various women's groups. But that is all.

Q Betty Sheppard is --

A She is Mr. Sheppard's sister-in-law, but I have never talked with her about the case.

I only filled in, like on a bridge club she was a member.

Q How many times have you played bridge with Betty Sheppard?

A Only twice.

Q Twice?

A I don't belong to the club.

Q Now, it is possible that Betty Sheppard might be a witness in this particular case. Would that have any influence upon your objectivity as a juror?

A It might. I like her. She is a very lovely person.

Q And you are afraid, then, that this might cause you to give her testimony more weight because of the fact that you know her, is that right?

A Well, I would be sort of sympathetic with her, I am afraid.

MR. SPELLACY: Challenge for cause,  
your Honor.

MR. BAILEY: I object.

THE COURT: Overruled.

The challenge is overruled at this time.

Please pursue, Counselor, if you wish.

By Mr. Spellacy:

Q When was the last time that you played cards with Betty Sheppard?

A Oh, a few years ago.

Q A few years ago?

A We have a mutual friend at the Cleveland Yacht Club, but I really don't know her. She might recognize me in the store and say Hello, but we don't know one another very well.

Q You say a mutual friend at the Cleveland Yacht Club?

A Yes.

Q Are you a member of the Cleveland Yacht Club? Who is the mutual friend -- is this where you played cards with Betty Sheppard?

A No, through this mutual friend who is a member of her club, I was invited once to fill in, when one of the members was missing.

You know, these ladies bridge clubs, somebody is busy and they will call somebody they know, and it happened that my friend was having the bridge club and she invited me to fill in, and that was the first time I ever met

Betty Sheppard.

Q And you had occasion to play cards with her after that?

A No.

Q Just the one occasion?

A Just the -- I think it was just one time. I don't know whether she would recognize me or not. It is that small of an acquaintance.

Q Now, if she were a witness in this particular case, would it cause you some hardship as a juror?

A It might.

Q Pardon me?

A It might.

Q Would it put you in a position where you couldn't be fair to both sides, both to the State of Ohio and to the defendant?

A Well, I can't predict my emotions at the time. I am not that well acquainted, I am not too familiar with any part of this.

But I just don't know what effect, I couldn't honestly give you an answer on that.

Q If his Honor Judge Talty will instruct you that as a juror, that it is your duty to weigh the evidence --

A I understand.

Q --that you are to listen to the witnesses who testify here, and based upon your own experiences in every



day life, weigh their testimony, and his Honor Judge Talty will instruct you that you can accept all of what they say, or part of what they say, or none of what they say; now, would the fact that you know Betty Sheppard, and if she were a witness in this particular case, or if any member of the Sheppard family were a witness in this particular case, would the fact that you know them, would that prevent you from using the scales that Judge Talty will give to you as to how you are to weigh the witnesses?

A Well, when you say "know them," I am not that -- I am not really acquainted.

It was just a two-hour bridge hand, and a nodding acquaintance. I don't know them.

Q I understand that. But the fact that you met her and played bridge with her?

A Well, I just like her as a person.

Q Would that in and of itself prevent you from using the guide lines that Judge Talty will give to you as to how you are to weigh the testimony of the witnesses?

A I think I can be fair.

Q That is what we are trying -- we are not trying to pry into your private affairs or your personal affairs.

A I know.

Q But to obtain a jury that will be fair to both sides.

A Right.

Q Both to this defendant and to the people of the State of Ohio.

A Yes.

Q You understand just what I went through here about weighing the witnesses it is your function as a juror, if selected as a juror?

A Right.

Q It is your duty and obligation.

A Yes.

Q An equally important obligation of yours is to accept the law as Judge Talty gives it to you at the conclusion of the case.

I might ask if you have ever been a juror before?

A Never.

Q This is your first experience?

A Yes, I have never even been to the Courthouse.

Q In this day and age of radio and television and newspapers, we all have our own ideas as to what the law is or what it might be or what it should be.

Can you set outside your mind any ideas that you might have, and accept the law that Judge Talty gives to you at the conclusion of this case?

A I believe I can.

Q And if Judge Talty were to instruct you that the penalty or punishment is not to be considered by you at all

in your deliberations, would you accept that instruction?

A You mean the result of it, would it affect me?

Q Well, you are obliged to take the law that his Honor Judge Talty gives to you, and if Judge Talty were to instruct you that the penalty or the punishment that might result from your verdict, is not to be considered by you in your deliberations, that you are to consider only the evidence, would you abide by that instruction?

A Yes.

Q In other words, you are not to concern yourself with anything in this whole wide world other than the evidence in this particular courtroom, can you do that if selected as a juror?

A I believe I can.

Q And can you decide this case free of bias or prejudice or sympathy, for either this defendant or the people of Ohio, and decide it objectively and be fair to both sides, can you do that?

A I would try, yes.

Q This mutual friend that you have indicated that knows Betty Sheppard or invited Betty Sheppard over to her home, and where you met her, how long have you known this mutual friend?

A Fifteen years.

Q Has Betty Sheppard been a close friend of hers?

A She knows her very well.

Q From being associated at the Cleveland Yacht Club, is that correct?

A I guess so.

Q And do you know how long they have been friends?

A I have no idea.

Q This mutual friend you have known since you came to Cleveland, then, roughly, is that right?

A Yes.

Q Is she a neighbor of yours?

A She was, that was how we became acquainted.

Q Do you still see her often?

A Yes.

Q Do you know if Betty Sheppard still sees her often?

A I think they are still in the same bridge club.

Q Now, the mutual friend is a close friend of yours, is that correct?

A Yes.

Q Has she ever expressed an opinion to you regarding this particular case?

A She has had things to say about it.

Q Pardon me?

A She has.

Q You don't have to tell me what her opinion is, but has she ever expressed an opinion to you?



A Yes.

Q And have you ever expressed an opinion back to her with regard to this particular case?

A Well, when it was so evident in the papers, we all had a lot to say about it.

Q Well, then, would it be fair to say that you did express an opinion back to her?

A Yes.

Q With regard to this particular case?

A Yes.

Q And was this on more than one occasion that you did this?

A Well, it was in the papers so much, it was discussed quite a bit, the whole time of the trial.

Q Did it come to your attention in 1954 through the mutual friend that she was a friend of Betty Sheppard?

A No. I had known that before.

Q Pardon me?

A I had known that before.

Q Before 1954?

A Yes.

Q You knew that the mutual friend was a friend of Betty Sheppard, is that correct, prior to 1954?

A Well, I met Betty Sheppard prior to any of this.

Q I see.

A I never played with her since. I have met her like in Higbee's or Halle's and just said Hello, how are you, and that's it.

Q Had you met Betty Sheppard prior to 1954?

A Yes, when I first moved here and I was a neighbor, I just went over this one time.

Q I was under the impression, or I misunderstood you, then, that you played bridge with them about two years ago?

A Oh, no, not that --

Q It was about --

A Prior to the case.

Q It was prior to the case?

A Right. But I just had a nodding acquaintance since, like I have gone as a guest to the Yacht Club, and if I see Mrs. Sheppard I said Hello, but that's all.

Q Have you and your mutual friend discussed among yourselves Betty Sheppard as to the type of person that she is, and so forth?

A Yes.

Q Would this interfere with your objectivity as a juror in this particular case?

A It might.

Q Pardon me?

A I like her very much. She is a very lovely person. She is not on trial.

Q You understand if she is called as a witness, this would interfere with your objectivity?

A It would be uncomfortable for me, I think.

MR. SPELLACY: The same challenge, your Honor.

MR. BAILEY: Objection.

THE COURT: You say it would be uncomfortable for you in what regard?

MRS. APRIL: Well, I probably would feel very sorry for her sitting up here. In facing her, it might be embarrassing for her. I don't know how else to put it.

THE COURT: The challenge is sustained.

MR. BAILEY: If it please the Court, may the defendant have a right to examine before you rule on the challenge?

THE COURT: May I see Counselors at the side of the bench, please? (Thereupon counsel and the Court conferred at the Court's bench, as follows:)

THE COURT: You will not have the right to examine further. The challenge is sustained at this time. The request on the part of the defense counsel to voir dire this

prospective juror further is overruled.

MR. BAILLEY: My objection is noted.

(Thereupon proceedings were resumed, as follows:)

THE COURT: Let the record show that the request for and on behalf of the defendant through his Counselor that they permitted to examine on voir dire Mrs. April further, is hereby overruled, and the State's challenge for cause is sustained.

Mrs. April, before excusing you, the Court will again admonish you that you will not discuss this case with anyone, nor will you permit anyone else to discuss it with you, nor will you permit yourself to overhear anything that relates to this case by any means or media or communication until such time as this jury has returned its verdict in open court.

Do you understand that you are under those instructions and orders from this Court, and the Court wishes to thank you for taking your time to participate in this proceeding with us.

You are hereby excused from further service in connection with this case.



MRS. APRIL: Yes.

THE COURT: You have noted  
the objections of Counselor Bailey.

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