

Thereupon JOHN J. POPE, being first duly sworn, was examined and testified as follows:

EXAMINATION OF PROSPECTIVE JUROR JOHN J. POPE:

BY THE COURT:

Q Is your name John J. Pope?

A Yes, sir.

Q And you live at 12313 Gay Avenue?

A That's right.

Q That is in the southeast end?

A That's right.

Q And are you a married man, Mr. Pope?

A No. I am single.

Q You are a single man?

A Yes, sir.

Q And who do you live with, if I may ask?

A My mother, my father, and two sisters.

Q How long have you folks lived on Gay Avenue?

A I have lived there all my life.

Q On Gay Avenue?

A Yes, except the time I spent in the Army.

Q And what is your occupation, please?

A I am -- I assemble aircraft landing gear.

Q He assembles aircraft landing gear.

And who are you employed by?

A The Cleveland Pneumatic Tool Company.

Q And how long have you been so employed, sir?

A Oh, about five years.

Q And have you ever been a juror before?

A No, I haven't.

Q Have you ever been a witness in a case in a court?

A No, I haven't.

Q Is your father employed?

A No, he isn't. He is retired.

Q He is retired?

A Yes.

Q What was his line when he was employed?

A He was a molder in a foundry.

Q A foundry molder. I take it that you were here a week ago last Monday morning and heard all these good people around the table introduced. Do you know any of them?

A Only through pictures in the paper.

Q I mean, you don't know any of them personally?

A No, I don't know any of them personally, no.

Q He said he knows them from pictures in the papers.

Do you know the County Prosecuting Attorney, Mr. Cullitan, or any member of his staff?

A No.

Q How near is Gay Avenue to Nelson Avenue?

A Oh, probably about a quarter of a mile, probably less.

Q You don't know Mr. Parrino over there?

A No, I don't.

Q I think he lives on Nelson.

MR. PARRINO: Yes, sir, Judge, that is where
I live.

Q All right. You don't know him, in any event?

A No, I don't.

Q Do you know the sheriff, Mr. Sweeney, or any member of his
staff?

A No, I don't, sir.

Q Or the coroner, Dr. Gerber, or any member of his staff?

A No, I don't.

Q Do you have any members of your family at all, your people,
who is a member of any police force or any law-enforcing
agency anywhere?

A No.

Q Have you or any member of your family ever been visited by
violence at the hands of another?

A No.

Q As far as you know?

A No.

Q You understand, Mr. Pope, that it is the function of a jury
to weigh the evidence and to decide the issues in a case,
decide the guilt or innocence of a person charged with
crime, and it is the duty of the jury to sit here patiently

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and listen to all of the evidence, no matter who gives it, and to weigh all of that evidence, without regard to who gives it, on the same basis. In other words, the real test is to determine what is true or what is not true, without regard to whether it comes from a doctor or police officer or a common laborer, it makes no difference who testifies. The evidence is to be weighed by a jury, and they are to bring in their verdict on the basis of what they believe in the evidence and the instructions of the Court as to the law.

Could you sit here and so listen to the evidence and weigh it carefully, fairly, without any prejudice or bias of any kind, and observe the rules of law as the Court will state them and be guided entirely by those?

A Not in this particular case.

Q You what?

A I couldn't do that in this particular case. I have formed an opinion and no testimony could change it.

Q All right. I was going to ask you that. I take it that you have heard of this case before?

A Oh, yes.

Q By newspapers or how?

A By newspapers mostly.

Q Radio?

A I heard it on the radio, also.

Q But by newspapers mostly?

A Yes.

Q And have you discussed the case with others or others discussed it with you?

A Yes, I did, once or twice.

Q Have you ever expressed to others an opinion as to the guilt or innocence of Sam Sheppard?

A No, I didn't express my opinion.

Q Have others expressed their opinions to you?

A Yes, yes.

Q And I understand you to say that you have formed an opinion as to the guilt or innocence of Dr. Sheppard?

A Yes, I have.

Q And without telling me what that opinion is, no need to do that, do you entertain an opinion right now?

A Yes, I do.

Q All right. Could you now disregard that opinion entirely and, as we say in common speech, start from scratch to listen to the evidence and decide on that evidence the guilt or innocence of Dr. Sam Sheppard?

A No, I'm afraid not. It's a fixed opinion, and no testimony could change it.

MR. MAHON:

Challenge for cause.

THE COURT:

The gentleman says he has

a fixed opinion and no testimony could change it.

MR. MAHON: Challenge for cause.

MR. GARMONE: Challenge for cause.

THE COURT: You may be excused,
Mr. Pope. Thank you very much.

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MR. CORRIGAN: May I ask Mr. Filimon
a question, your Honor?

THE COURT: Sir?

MR. CORRIGAN: May I ask Mr. Filimon
a question?

THE COURT: I suppose you may, yes.

MR. CORRIGAN: Mr. Filimon, during the
time that you were here, did you associate with Mr.
Hughes?

PROSP. JUROR FILIMON: Mr. Hughes, the manager
of Collier's?

MR. CORRIGAN: Yes.

PROSP. JUROR FILIMON: No, sir.

MR. CORRIGAN: You did not?

PROSP. JUROR FILIMON: No, sir, I did not
associate with him.

MR. CORRIGAN: You didn't go to lunch
with him or anything like that?

PROSP. JUROR FILIMON: No, sir.