

THE BAILIFF: Mrs. Szabo, please  
take the witness box.

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THEREUPON, ELIZABETH SZABO, a member  
of the prospective jury panel, having been  
previously sworn, was examined and testified  
on voir dire, as follows:

THE COURT: Good afternoon,  
Mrs. Szabo. Mrs. Szabo, would you feel more  
comfortable if you placed your purse along the  
chair?

Mrs. Szabo, you are a homemaker?

MRS. SZABO: Yes, sir.

THE COURT: Is this your first  
time in the courtroom?

MRS. SZABO: Yes, sir.

THE COURT: Mrs. Szabo, will  
you please relax and listen to the questions  
that the lawyers will put to you. They are duty  
bound to put questions to you, and listen to  
them attentively if you will, please, and answer  
them accurately and forthrightly.

Mr. Romito, who sits before you here  
must report the answers that you give to these

questions, so will you keep your voice at a point so that each person who sits in this room can hear your responses; will you do that, Mrs. Szabo?

MRS. SZABO: I will try.

THE COURT: Thank you, and remember that you are under oath.

VOIR DIRE EXAMINATION OF ELIZABETH SZABO

By Mr. Spellacy:

Q If it please the Court; for Mr. Romito, would you please give your full name?

A Mrs. Elizabeth Szabo.

Q Will you spell your last name, please?

A S-z-a-b-o.

Q Where do you live, Mrs. Szabo?

A 9319 Holton Avenue.

Q Holton Avenue?

A Yes, sir.

Q Is that in the city of Cleveland?

A Yes, sir.

Q How long have you lived at that address?

A Over forty years.

Q Over forty years?

A Yes, sir.

Q Mrs. Szabo, is Mr. Szabo employed?

A No, he is retired.

Q What line of work was he engaged in prior to his retirement?

A He was maintenance man.

Q Who did he work for?

A General Electric.

Q How long did he work for General Electric?

A Over twelve years.

Q What is Mr. Szabo's first name?

A Louis.

Q Louis?

A Yes.

Q Did he work for General Electric for about twelve years?

A Yes, sir.

Q And was he engaged in what type of work, what type of work was he engaged in before working for General Electric?

A Well, he was working as a butcher.

Q As a butcher?

A Yes.

Q Was he working for an outfit or was he self-employed?

A Self-employment.

Q He had his own business?

A No, with his brother.

Q I see. Were they in partnership, in a business?

A Yes, sir.

Q Where was that business located?

A 9317 Holton.

Q 9317 Holton?

A Yes, sir.

Q How long was he in that particular business?

A I don't remember.

Q Do you have a family?

A Yes, sir.

Q And would you give us their names and ages, please?

A I have one daughter. She is 42, I think.

Q Is she married?

A Yes, sir.

Q What is her married name?

A Mrs. Frohwerk, Irene Frohwerk.

Q How do you spell the last name?

A F-r-o-h-w-e-r-k.

Q Where does she live?

A Wickliffe.

Q What does her husband do?

A He works for Parker Appliance.

Q What does he do at Parker Appliance, if you know?

A I do not know.

Q Is there anyone else in your home besides yourself  
and Mr. Szabo?



A No, there isn't.

Q Have you ever worked outside the home, Mrs. Szabo?

A Before I -- well, after I was married for about three years.

Q What type of work did you do then?

A I used to do bench work.

Q Have you ever been a juror before?

A No, sir.

Q Mrs. Szabo, you understand that the indictment in this case is the State of Ohio versus Sam Sheppard, you understand that?

A Yes, sir.

Q Have you read anything about this case at any time?

A When it first started a little bit. Not much.

Q When was that, if you can recall?

A It has been some time ago.

Q In 1954 were you living on Holton Avenue?

A Yes, sir.

Q Now, as a result of what you read -- strike that. What you read, was that the newspaper?

A Yes, sir.

Q As a result of reading the newspapers, did you arrive at an opinion with regard to the case?

A No, I didn't pay much attention to it.

Q Do you have an opinion about the case today, just

answer that yes or no?

A No.

Q Has anybody ever expressed an opinion to you about this case?

A No, sir.

Q Have you ever discussed this case with anyone?

A No, sir.

Q Mrs. Szabo, if selected as a juror here, could you set outside your mind anything you might have read some years ago, and decide this case solely on the evidence presented here in this courtroom?

A I could not because I can't remember so much.

Q Well, I don't know if you understood my question.

Could you decide the case only on the evidence here in this courtroom, and forget anything else you might have read?

A I do not know.

Q Do you understand my question?

A No, sir.

Q Mrs. Szabo, is your memory such that if this case extended over a period of time, that you would have difficulty remembering the facts as they are produced here in this courtroom?

A Well, I couldn't tell you that. I don't know.

Q You see, his Honor Judge Talty will tell you that

you are to only concern yourself, if you are picked as a juror, that you are only to concern yourself with the facts produced here in this courtroom, understand that?

A Yes, sir.

Q And could you do that?

A I would try.

Q And as a juror, you are to listen to the witnesses testify from the witness chair that you are sitting in now, and that you would size them up, you know, just as you do when you meet someone on the street for the first time, you kind of size them up and use your common sense in evaluating them, understand?

A I will try.

Q This is what your job as a juror is, understand that?

A Yes, sir.

Q You can accept all of what they say, you can take just part of what they say, or you can just disregard all of what they say, that would be your job as a juror, do you think you could do that?

A Yes, sir, I will try.

Q Now, equally important, you must take the law that Judge Talty gives to you, understand what I mean?

A Yes, sir.

Q You see, at the conclusion of the case Judge Talty will give you instructions of law. He will tell you what

the law is that you are to apply to the facts as you find the facts to be; understand me?

A Yes, sir.

Q You have to disregard any ideas you might have as to what the law is, and accept the law that Judge Talty gives to you; could you do that?

A I will try.

Q Well, we have to go a little bit farther than that. Could you do that, to the best of your ability?

A I don't know.

Q I see, You have some reservations about that?

A No.

Q You would try to the best of your ability to follow the instructions of Judge Talty?

A Yes, I would.

Q Now, do you understand that under our system of justice the defendant is presumed to be innocent until proven guilty, do you understand that?

A Yes, sir.

Q And the law places upon the State of Ohio the burden to prove him guilty beyond a reasonable doubt, do you understand that?

A Yes, sir.

Q And at the proper time Judge Talty will give you the definition of reasonable doubt, will you be able to follow



that definition?

A I will try.

MR. CORRIGAN: Your Honor, may  
we approach the bench, please?

THE COURT: Yes.

(Thereupon counsel and the Court conferred at  
the Court's bench out of the hearing of the  
jury panel, as follows:)

MR. CORRIGAN: Your Honor, I think  
her ability as far as the State of Ohio is con-  
cerned, her ability to remember, we would like  
to have her excused.

MR. BAILEY: The defense agrees.

THE COURT: Motion granted.

(Thereupon proceedings were resumed within the  
hearing of the jury panel, as follows:)

THE COURT: Let the record show  
that upon the joint motion of the parties, that  
Mrs. Szabo is excused from further service as  
a prospective juror in this case.

Mrs. Szabo, the Court and each of us  
who is participating in this proceeding want to  
thank you for coming here and for spending these  
past several days, and offering yourself as a  
prospective juror in this case.

Both parties have requested the Court that you be excused, and the Court has granted their request.

Now, before leaving us this afternoon, you must bear these instructions in mind, which I am now about to give you.

You shall not discuss what little you have heard about this case, Mrs. Szabo, with anyone, not even with those at home; do you understand that?

MRS. SZABO: Yes, sir.

THE COURT: You shall not permit anyone else to discuss this case with you; you understand that?

MRS. SZABO: Yes, sir.

THE COURT: And you shall not participate in any type of statement or interview for publicity until you learn and until you are certain, Mrs. Szabo, that a jury has returned its verdict in this room in open court. Understand?

MRS. SZABO: Yes, sir.

THE COURT: And if there is ever any question that arises in your mind with respect to these instructions, you come to me

and I will explain them further to you; do you understand that, Mrs. Szabo?

MRS. SZABO: Yes, sir.

THE COURT: And if any question is put to you concerning this case by anyone, you come to me, will you please?

MRS. SZABO: Yes, sir.

THE COURT: Thank you, Mrs. Szabo. You are excused.

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