

THE BAILIFF: Mr. Dezman, would you kindly take the witness box, please, and be seated.

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

THE COURT: Good morning, Mr. Dezman.

MR. DEZMAN: Good morning.

THE COURT: Mr. Dezman, is that the correct pronunciation of your name?

MR. DEZMAN: Dezman.

THE COURT: Would you keep your voice up so all of us in this room can hear you?

MR. DEZMAN: Okay.

THE COURT: You will have to do much better than that. Mr. Romito who sits in front of you must report into that record each of your answers, you understand that, don't you?

MR. DEZMAN: Yes, sir.

THE COURT: Are you a little nervous, sir?

MR. DEZMAN: A little bit.

THE COURT: Well, you just relax and listen to the questions, Mr. Dezman. I am nervous, too.

MR. DEZMAN: Okay.

THE COURT: Now, you listen to the questions, and give the answers accurately and forthrightly to the questions that Counselors are going to put to you, and then when you are giving your answers, remember that you are under oath.

MR. DEZMAN: Yes, sir.

THE COURT: Counselor Spellacy or Corrigan?

MR. SPELLACY: Yes, sir, if it please the Court.

VOIR DIRE EXAMINATION OF ADOLPH RUDOLPH DEZMAN

By Mr. Spellacy:

Q For the record and for Mr. Romito, would you please tell us your name, again?

A Adolph Rudolph Dezman.

Q Will you spell your last name?

A D-e-z-m-a-n.

Q Where do you live?

A 235 East 156th Street.

Q How long have you lived there?

A Thirteen years.

Q Are you married, sir?

A Yes, sir.

Q Do you have a family?

A No. My son is married.

Q Your son is married?

A Yes.

Q How old is your son?

A Twenty-six.

Q And does he live with you?

A No, he don't.

Q Where does he live?

A He lives on Dille Road.

Q Pardon me?

A Dille Road.

Q Where is that?

A That is Nottingham.

Q Where are you employed?

A Euclid Electric Manufacturing Company, Madison, Ohio.

Q What do you do there?

A Maintenance.

Q How long have you been employed at this company?

A Going on twenty-six years.

Q How long have you lived at your present address?

A Thirteen.

Q Thirteen years?

A Yes.

Q Where did you live prior to that?

A On Thames Avenue, Collinwood.

Q Are you from Cleveland, sir, originally?

A Yes.

Q Are you from that neighborhood?

A Well, no. I lived out of town for a while. My folks moved out to Conneaut, Ohio.

Q Conneaut, Ohio?

A Yes.

Q When was that, that you lived in Conneaut, Ohio?

A Well, it was in the late 30's.

Q Now, is your wife employed outside the home?

A No, she is not.

Q She is a homemaker, then, is that correct?

A Yes.

Q Have you had prior jury service?

A Never.

Q This is your first experience?

A Yes.

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

A Yes, sir.

Q May I ask, sir, if you have ever read anything about this case or heard anything about it?

A Yes, I have.

Q Do you recall when it was that you heard something about it or read something about it?

A Well, honestly, off and on.

Q Directing your attention now to 1954, where were you living at that time?

A Thames Avenue, or 156th Street.

Q Your present address, is that right?

A Yes.

Q Did you hear about this case in the newspapers?

A I read about it in the newspapers.

Q Have you read anything beside the newspapers, like books, or magazines?

A Yes, I believe I read it in one magazine.

Q Now, have you read anything recently with regard to this case?

A Oh, a couple or a week or so ago, yes.

Q Now, as a result of what you have read in the newspapers, have you formed an opinion with regard to this case, and you can answer that yes or no, if you can?

A Yes.

Q You have formed an opinion. Now, have you expressed this opinion to other people, yes or no?

A No.

Q Now, if Judge Talty were to tell you that you are only to concern yourself, if selected as a juror, with the facts that are presented here in this courtroom, and disregard anything else you might know about the case, could you do that?

A I don't know, sir.

Q Pardon me?

A I wouldn't know, sir.

Q Well, if Judge Talty told you as a matter of law, that you are not to concern yourself with any facts that you might have heard, or you might have read about, you are only to concern yourself with the testimony of the witnesses who will testify from the witness chair that you are in now, can you do that?

A I believe I can.

Q And you would decide the case only on the evidence produced here in this courtroom?

A Yes, sir.

Q Is that right?

A Yes, sir.

Q Could you then, sir, set aside and disregard any

opinion that you might have had with regard to this case?

A I don't know, sir, I mean,--

Q Let me see if I can put it another way.

Can you set outside your mind any opinion you might have had, or, let me start all over again.

Do you have that opinion today, that you had some time ago?

A Yes, I do, yes.

Q Is this a fixed opinion?

A Well, I have always believed it that way.

Q Is it an opinion that despite evidence produced here in this case, would make it impossible for you to be fair either to the defendant or to the State of Ohio?

MR. BAILEY: I object.

THE COURT: Overruled. Do

you understand the question, sir?

A No, I don't, sir.

Q Is the opinion that you have, such an opinion that despite evidence presented here in this courtroom, and this courtroom alone, that would prevent you from being fair to either this defendant or to the people of Ohio?

A I still can't get it through my thick head.

Q Sir, would it be a fair statement to say that you would have difficulty because of this opinion in being fair to this defendant or to the people of Ohio?

A Yes, sir.

MR. SPELLACY: Challenge for cause,
your Honor.

MR. BAILEY: Join.

THE COURT: Mr. Dezman, the
Court wishes to thank you for all the time that
you spent here awaiting call as a prospective
juror. However, before excusing you, each side
has requested, and the Court does now grant the
joint motion that you be excused from any further
service as a prospective juror in this case.

But before leaving the room, Mr. Dezman,
will you pay attention to these instructions which
I am now about to give you.

MR. DEZMAN: Yes, sir.

THE COURT: Mr. Dezman, you are
not to express any opinion which you have or what
little you may have heard about this case, since
you have been in this room, to anyone, and this
includes the members of your family, your wife or
anyone else.

Do you understand that, sir?

MR. DEZMAN: Yes, sir.

THE COURT: And you are not to
make any statements whatsoever with respect to

this case, to anyone, nor permit anyone else to discuss this case with you, until such time, Mr. Dezman, as you learn for a certainty that a jury in this room has returned its verdict in open court.

Do you understand that, sir?

MR. DEZMAN: Yes, sir, I do.

THE COURT: And will you follow those instructions, sir?

MR. DEZMAN: Yes, sir, I will.

THE COURT: Thank you, Mr. Dezman.

You are excused. Mr. Patrick will escort you from the room.

Mr. Reed, will you bring back the rest of our panel, please? It is almost twelve o'clock.

You ladies and gentlemen at the back of the room awaiting the arrival of the panel, if you wish, you may leave the room now, you may do so. (Thereupon the balance of the members of the prospective jury panel were brought into the courtroom.)

THE COURT: Thank you, ladies and gentlemen. Ladies and gentlemen, it is twelve o'clock and we will take our noon recess, and while you are away on your luncheon recess,

ladies and gentlemen of the prospective panel, you will bear in mind the detailed instructions given on each occasion when you leave the room, and that is that you shall not discuss this case or what little you have heard of it even amongst yourselves. You shall not permit anyone else to discuss it with you, nor shall you permit yourselves to overhear anything that relates to this case by any means or media of communication.

We will stand recessed for lunch, ladies and gentlemen, until 1:30.

(Thereupon an adjournment was taken to 1:30 p.m., Thursday, October 27, 1966, at which time the following proceedings were had:)