

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CRIMINAL MINUTES

Date: September 17, 2018 **Time:** 25 minutes court time **Judge:** WILLIAM H. ORRICK
10:15 a.m. to 10:28 a.m.
1:43 p.m. to 1:55 p.m.
8:00 a.m. to 1:43 p.m.
jury deliberation

Case No.: [15-cr-00582-WHO-1](#) **Case Name:** UNITED STATES v. Shafi

Attorneys for Plaintiff: S. Waqar Hasib and Elise LaPunzina
Attorneys for Defendant: Hanni Fakhoury and Jerome Matthews
Defendant **Adam Shafi** – present for in-court proceedings, in custody

Deputy Clerk: Jean Davis
Interpreter: n/a

Court Reporter: Vicki Eastvold
Probation Officer: n/a

PROCEEDINGS

8:00 a.m. Jurors resume deliberations
10:15 a.m. Court in session (jury out)
Jury Note 2 discussed.
Government suggests that the Allen Charge be administered and an additional period of deliberation directed. Defense counsel requests that a mistrial be declared without the requirement of an Allen charge.
10:20 a.m. The Court advises that the charge in Federal Model Instruction 7.7 will be delivered. Proceedings briefly adjourned to allow the Court to confirm the most recently updated version of that charge.
10:25 a.m. Jury seated. Jury charged as to their duty to deliberate and asked to continue their deliberations and to consider whether their current positions should be revised.
10:28 a.m. Jury excused to resume deliberations.
1:43 a.m. Court in session (jury out)
Jury note discussed
1:48 a.m. Court in session (jurors present)
Foreperson advises the Court that the jury is hopelessly deadlocked.
All jurors concur.
Foreperson queried as to the possibility of reaching a unanimous verdict; the foreperson indicates that there is virtually no possibility of a unanimous verdict.
All jurors concur that there is no reasonable probability that a unanimous verdict could be achieved through further deliberation.

1:51 p.m. Jurors are thanked by the Court.

1:53 p.m. Jurors excused

Counsel agree to a status conference on **Thursday, September 20, 2018 at 1:30 p.m.**

1:55 p.m. Court in recess

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NORTHERN DISTRICT OF CALIFORNIA

JUDGE WILLIAM H. ORRICK

Case No. 15-cr-00582-WHO-1

CASE NAME: USA v. Shafi

NOTE FROM THE JURY

Note No. 2

Date EJ ~~9/17/18~~ 9/17/18

Time EJ ~~9:45 am~~ 9:45 am

1. The Jury has reached a unanimous verdict ()
or
2. The Jury has the following question:

We've reached a deadlock. We've reviewed
all the evidence, discussed everything multiple
times and in great detail, and don't think we'll
be able to reach a
unanimous decision.

Erik A Johanson
Foreperson of the Jury

Erik Johanson

FILED

SEP 17 2018

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SUSAN Y. SOUZA
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JUDGE WILLIAM H. ORRICK

Case No. 15-cr-00582-WHO-1

CASE NAME: USA v. Shafi

NOTE FROM THE JURY

Note No. 3

Date 9/17/18

Time 1:25 pm

1. The Jury has reached a unanimous verdict ()

or

2. The Jury has the following question:

We've deliberated further and have made no progress. We all feel confident in our understanding of the evidence, and can think of no further lines of discussion which we haven't already been down multiple times. We've exhausted our means of deliberation short of any new instruction.

Erik A Johanson
Foreperson of the Jury

Erik Johanson