



However, if ten or more of you agree that a reasonable doubt exists as to whether the conduct of the defendant that caused the death of the deceased was committed deliberately and with reasonable expectation that the death of the deceased or another would result, you will answer this question "no".

Answer: \_\_\_\_\_

(2) Do you find from the evidence beyond a reasonable doubt that there is a probability that the defendant would commit criminal <sup>acts</sup> of violence that would constitute a continuing threat to society?

If you unanimously find from the evidence beyond a reasonable doubt that there is a probability that the defendant would commit criminal acts of violence that would constitute a continuing threat to society, you will answer this questions "yes".

However, if ten or more of you agree that a reasonable doubt exists as to whether there is a probability that the defendant would commit criminal acts of violence that would constitute a continuing threat to society, then you will answer this question "no".

Answer: \_\_\_\_\_

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Voluntary intoxication does not constitute a defense to the commission of crime.

~~Evidence of temporary insanity caused by intoxication may be introduced by the defendant in mitigation of the penalty attached to the offense for which he is being tried.~~

"Intoxication" means disturbance of mental or physical capacity resulting from the introduction of any substance into the body.

"Temporary insanity caused by intoxication" means that the defendant's mental capacity was so disturbed from the introduction of a substance into his body that the defendant either did not know that his conduct was wrong or was incapable of conforming his conduct to the requirements of the law he allegedly violated.

Now, therefore, if you find, or have a reasonable doubt thereof, that the defendant at the time of the commission of the offense for which he is on trial, was laboring under temporary insanity caused by intoxication, then you may take such temporary insanity into consideration in mitigation of the penalty attached to the offense for which the defendant is being tried.

In arriving at the answers to the above issues, it will not be proper for you to fix the same by lot, chance or any other methods than by a full, fair and free exercise of the opinion of the individual juror.

During your deliberations you shall not consider or discuss what the effect of your answers to the above issues might be. More particularly, you are not to consider or discuss any possible actions of the Board of Pardons and Parole or the Governor nor how long this defendant will be required to serve on a sentence of life imprisonment.

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W. T. MCDONALD, JR., JUDGE  
85TH JUDICIAL DISTRICT

VERDICT OF THE JURY

We, the Jury, having answered the foregoing issues, return the same into Court as our verdict.

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PRESIDING JUROR