

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

TY EVANS, )  
)  
Plaintiff, )  
) 1:07-cv-592- SEB-TAB  
vs. )  
)  
FRANK POSKON, et al., )  
)  
Defendants. )

**ENTRY ON DEFENDANT'S AMENDED REQUEST  
FOR INSPECTION OF JUROR QUESTIONNAIRE**  
(Docket No. 265)

On December 19, 2013, Defendant moved the Court for an order requiring the Clerk to inspect the questionnaire provided by Juror No. 3 and confirm for him that juror's stated occupation. He explained that such inspection was necessary because, after the trial was over, he recognized Juror No. 3 to be a lawyer with whom he had prior dealings and believes her participation as a juror in his case would have prevented him from receiving a fair trial. On December 20, 2013, the Court informed Defendant that Juror No. 3 was not a lawyer and thus could not be the subject of his concerns. Defendant now moves the Court for an order requiring the Clerk to inspect the questionnaire provided by Juror No. 4. Defendant explains that he was mistaken that the lawyer at issue was Juror No. 3. He now believes that she was, instead, Juror No. 4.

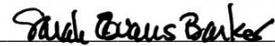
When the Court received Defendant's prior motion, the Clerk reviewed the names of all of the individuals who served as jurors in this case, without regard to their seat number or other designation. The Clerk found no juror named Lucille Uttermohlen nor, in fact, any lawyer on the panel. The Clerk also reviewed the names of all of the persons summoned for jury service

and found no person named Lucille Uttermohlen within the venire.

The Court is certain, and so assures Defendant, that no person named Lucille Uttermohlen served on his jury. Thus, there is simply no basis upon which to assume, never mind establish, some impropriety with the jury's verdict in this case caused by or involving a lawyer/juror by that name.

IT IS SO ORDERED.

Date: 01/08/2014



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SARAH EVANS BARKER, JUDGE  
United States District Court  
Southern District of Indiana

Copies to:

Electronically registered counsel of record via ECF

and

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