

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
CEDAR RAPIDS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RICHARD LEE MELLOR,

Defendant.

No. 08-CR-49-LRR

FINAL JURY INSTRUCTIONS

Ladies and Gentlemen of the Jury:

The instructions I gave you at the beginning of the trial and during the trial remain in effect. I will now give you some additional instructions.

You must, of course, continue to follow the instructions I gave you earlier, as well as those I give you now. You must not single out some instructions and ignore others, because all are important. This is true even though some of those I gave you at the beginning of and during trial are not repeated here.

The instructions I am about to give you now are in writing and will be available to you in the jury room. I emphasize, however, that this does not mean they are more important than my earlier instructions. Again, all instructions, whenever given and whether in writing or not, must be followed.

INSTRUCTION NO. 1

In considering these instructions, attach no importance or significance whatsoever to the order in which they are given.

INSTRUCTION NO. 2

Neither in these instructions nor in any ruling, action or remark that I have made during this trial have I intended to give any opinion or suggestion as to what the facts are or what your verdicts should be.

INSTRUCTION NO. 3

It is your duty to find from the evidence what the facts are. You will then apply the law, as I give it to you, to those facts. You must follow my instructions on the law, even if you thought the law was different or should be different.

Do not allow sympathy or prejudice to influence you. The law demands of you just verdicts, unaffected by anything except the evidence, your common sense and the law as I give it to you.

INSTRUCTION NO. 4

I have mentioned the word "evidence." The "evidence" in this case consists of the following: the testimony of the witnesses, including the defendant, and the documents and other things received as exhibits.

You may use reason and common sense to draw deductions or conclusions from facts which have been established by the evidence in the case.

Certain things are not evidence. I shall list those things again for you now:

1. Statements, arguments, questions and comments by the lawyers are not evidence.
2. Statements, arguments, questions and comments by the defendant are not evidence, except when giving testimony under oath.
3. Anything that might have been said by jurors, the attorneys, the defendant or the judge during the jury selection process is not evidence.
4. Objections are not evidence. The parties have a right to object when they believe something is improper. You should not be influenced by the objection. If I sustained an objection to a question, you must ignore the question and must not try to guess what the answer might have been.
5. Testimony that I struck from the record, or told you to disregard, is not evidence and must not be considered.
6. Anything you saw or heard about this case outside the courtroom is not evidence.

During the trial, documents were referred to but they were not admitted into evidence and, therefore, they will not be available to you in the jury room during deliberations.

Finally, if you were instructed that some evidence was received for a limited purpose only, you must follow that instruction.

INSTRUCTION NO. 5

There are two types of evidence from which a jury may properly find the truth as to the facts of a case: direct evidence and circumstantial evidence. Direct evidence is the evidence of the witness to a fact or facts of which they have knowledge by means of their senses. The other is circumstantial evidence—the proof of a chain of circumstances pointing to the existence or nonexistence of certain facts. The law makes no distinction between direct and circumstantial evidence. You should give all evidence the weight and value you believe it is entitled to receive.

INSTRUCTION NO. 6

The jurors are the sole judges of the weight and credibility of the testimony and the value to be given to the testimony of each witness, including the defendant, who has testified in this case. In deciding what the facts are, you may have to decide what testimony you believe and what testimony you do not believe. You may believe all of what a witness said, or only part of it or none of it.

In deciding what testimony to believe, consider the witness's intelligence, the opportunity the witness had to have seen or heard the things testified about, the witness's memory, any motives that witness may have for testifying a certain way, the manner of the witness while testifying, whether that witness said something different at an earlier time, the general reasonableness of the testimony and the extent to which the testimony is consistent with any evidence that you believe.

In deciding whether or not to believe a witness, keep in mind that people sometimes hear or see things differently and sometimes forget things. You need to consider, therefore, whether a contradiction is an innocent misrecollection or lapse of memory or an intentional falsehood, and that may depend on whether it has to do with an important fact or only a small detail.

You should judge the testimony of the defendant in the same manner as you judge the testimony of any other witness.

INSTRUCTION NO. 7

In a previous instruction, I instructed you generally on the credibility of witnesses. I now give you this further instruction on how the credibility of a witness can be "impeached" and how you are to consider the testimony of certain witnesses.

A witness may be discredited or impeached by contradictory evidence; by showing that the witness testified falsely concerning a material matter; by showing the witness has a motive to be untruthful; or by evidence that at some other time the witness has said or done something, or has failed to say or do something, that is inconsistent with the witness's present testimony.

INSTRUCTION NO. 8

You have heard testimony from persons described as experts. A person who, by knowledge, skill, training, education or experience, has become an expert in some field may state his or her opinions on matters in that field and may also state the reasons for his or her opinion.

Expert testimony should be considered just like any other testimony. You may accept or reject it, and give it as much weight as you think it deserves, considering the witness's education and experience, the soundness of the reasons given for the opinion, the acceptability of the methods used and all the other evidence in the case.

INSTRUCTION NO. 9

You have heard evidence that the defendant committed acts similar to those charged. You may not use this “other acts” evidence to decide whether the defendant carried out the acts involved in the crimes charged in the Indictment. In order to consider “other acts” evidence at all, you must first unanimously find, beyond a reasonable doubt, based on the rest of the evidence introduced, that the defendant carried out the acts involved in the crimes charged in the Indictment. If you make this finding, then you may consider the “other acts” evidence to decide the defendant’s intent or absence of mistake.

“Other acts” evidence must be proven by a preponderance of the evidence; that is, you must find that the evidence is more likely true than not true. This is a lower standard of proof than beyond a reasonable doubt. If you find that this evidence is proven by a preponderance of the evidence, you should give it the weight and value you believe it is entitled to receive. If you find that it is not proven by a preponderance of the evidence, then you must disregard such evidence.

Remember, even if you find that the defendant may have committed other acts at times other than those charged in the Indictment, this is not evidence that he committed such an act in this case. You may not convict a person simply because you believe he may have committed other acts. The defendant is on trial only for the crimes charged, and you may consider the evidence of “other acts” only on the issue of his intent or absence of mistake.

INSTRUCTION NO. 10

You have heard testimony that the defendant made statements to certain witnesses in this case. It is for you to decide:

First, whether the defendant made the statements; and

Second, if so, how much weight you should give to them.

In making these two decisions, you should consider all of the evidence, including the circumstances under which the statements may have been made.

INSTRUCTION NO. 11

Exhibits have been admitted into evidence and are to be considered along with all of the other evidence to assist you in reaching your verdicts. You are not to tamper with the exhibits or their contents, and each exhibit should be returned into open court, along with your verdicts, in the same condition as it was received by you.

INSTRUCTION NO. 12

You will remember that certain summaries were admitted into evidence. You may use those summaries as evidence, even though the underlying documents and records are not here.

INSTRUCTION NO. 13

The Indictment in this case charges the defendant with one count of making a false claim to the Internal Revenue Service, four counts of attempting to evade income tax and one count of corruptly endeavoring to obstruct and impede the due administration of the internal revenue laws of the United States.

The defendant has pled not guilty to each crime with which he has been charged.

As I told you at the beginning of the trial, an indictment is simply an accusation. It is not evidence of anything. To the contrary, the defendant is presumed to be innocent. Thus the defendant, even though charged, begins the trial with no evidence against him. The presumption of innocence alone is sufficient to find the defendant not guilty and can be overcome only if the government proves, beyond a reasonable doubt, each element of the crime charged.

There is no burden upon a defendant to prove that he is innocent.

INSTRUCTION NO. 14

The crime of making and presenting a false claim against the United States, as charged in Count 1 of the Indictment, has four essential elements, which are:

One, the defendant made or presented to the Internal Revenue Service a claim against the United States, in the form of a United States Income Tax Return for Estates and Trusts, Form 1041, for the tax year 2002;

Two, the claim was false, fictitious, or fraudulent, in that it claimed a refund of taxes in the amount of \$240,008.79;

Three, the defendant knew the claim was false, fictitious or fraudulent; and

Four, the false, fictitious, or fraudulent matter was material to the United States Internal Revenue Service.

A claim is "false" or "fictitious" if any part of it is untrue when made and then known to be untrue by the person making it or causing it to be made. A claim is "fraudulent" if any part of it is known to be untrue, and made or caused to be made with the intent to deceive the governmental agency to which it was submitted.

A claim is "material" if it has a natural tendency to influence, or is capable of influencing the Internal Revenue Service. However, whether a claim is "material" does not depend on whether the Internal Revenue Service was actually deceived.

If each of these elements have been proven beyond a reasonable doubt as to Count 1 of the Indictment then you must find the defendant guilty of Count 1. Otherwise, you must find the defendant not guilty of Count 1.

INSTRUCTION NO. 15

As to Count 1, the element of knowledge may be satisfied by inferences drawn from proof that a defendant deliberately closed his eyes to what otherwise would have been obvious to him. A finding beyond a reasonable doubt of a conscious purpose to avoid enlightenment would permit an inference of knowledge. Stated another way, a defendant's knowledge of a fact may be inferred from willful blindness to the existence of a fact. It is entirely up to you as to whether you find any deliberate closing of the eyes, and the inferences to be drawn from any such evidence. A showing of negligence or mistake is not sufficient to support a finding of willfulness of knowledge.

INSTRUCTION NO. 16

The crime of tax evasion as charged in Counts 2, 3, 4 and 5 of the Indictment has three essential elements, which are:

One, the defendant owed substantial income tax for the calendar year under consideration;

Two, the defendant attempted to evade and defeat that additional tax or payment of the tax; and

Three, the defendant acted willfully.

To "attempt to evade or defeat" a tax involves two things: first, an intent to evade or defeat the tax; and second, some act willfully done in furtherance of such intent. So, the word "attempt" contemplates that the defendant knew and understood that, during the calendar year charged, he had some income which was taxable, and which he was required by law to report; but that he nevertheless attempted to evade or defeat all or a substantial portion of the tax on that income, by willfully failing to report all his known income which he knew he was required by law to state in his return for such year; or in some other way or manner.

To "evade and defeat" a tax means to escape paying a tax by means other than lawful avoidance.

Various schemes, subterfuges and devices may be resorted to, in an attempt to evade or defeat a tax. The methods alleged in the Indictment include the following methods, for each of the following calendar years:

2002, Count 2

Concealing and attempting to conceal from all proper officers of the United States his true and correct income by various means, including but not limited to:

(CONTINUED)

INSTRUCTION NO. 16 (Cont'd)

(1) Depositing receipts from his business into bank accounts which were titled in different names;

(2) On or about August 26, 2003, filing a false and fraudulent United States Income Tax Return for Estates and Trusts, Form 1041, for the 2002 tax year, claiming a refund of taxes in the amount of \$240,008.79, knowing the claim to be false, fictitious or fraudulent; or

(3) On or about November 5, 2004, filing and causing to be filed a false or fraudulent United States Income Tax Return, Form 1040, for the 2002 tax year and reporting income of \$00.00, knowing that his total income for the 2002 calendar year was substantially in excess of \$00.00.

2003, Count 3

Concealing and attempting to conceal from all proper officers of the United States his true and correct income by various means, including but not limited to, depositing receipts from his business into bank accounts which were titled in different names.

2004, Count 4

Concealing and attempting to conceal from all proper officers of the United States his true and correct income by various means, including but not limited to, depositing receipts from his business into bank accounts which were titled in different names.

2005, Count 5

Concealing and attempting to conceal from all proper officers of the United States his true and correct income by various means, including but not limited to:

(1) Depositing receipts from his business into bank accounts which were titled in different names; or

(2) using warehouse banking to store and access income.

(CONTINUED)

INSTRUCTION NO. 16 (Cont'd)

To return a verdict of guilty with respect to Counts 2, 3, 4 or 5 of the Indictment, you need not unanimously agree that the defendant engaged in every method alleged in the Indictment. You must, however, unanimously agree that at least one method was used for the count under consideration, and you must unanimously agree on which of the alleged methods was involved. The statute makes it a crime to willfully attempt, in any way or manner, to evade or defeat any income tax imposed by law.

An attempt to evade an income tax for one year is a separate offense from the attempt to evade the tax for a different year.

The fact that an individual's name is signed to a return means that, unless and until outweighed by evidence in the case which leads you to a different or contrary conclusion, you may find that a filed tax return was in fact signed by the person whose name appears to be signed to it. If you find proof beyond a reasonable doubt that the defendant had signed his tax returns, that is evidence from which you may, but are not required to, find or infer that the defendant had knowledge of the contents of the return.

If each of these elements have been proven beyond a reasonable doubt as to the count under consideration by you, then you must find the defendant guilty as to that count. Otherwise, you must find the defendant not guilty of the crime for the count under consideration by you.

INSTRUCTION NO. 17

To act “wilfully” means to voluntarily and intentionally violate a known legal duty.

One of the issues as to Counts 2, 3, 4, and 5 is whether the defendant acted in good faith. Good faith is a complete defense to the charge of attempted tax evasion, since good faith is not consistent with willfulness, which is an element of the charge. In a tax evasion case, the term “willfully” means both that the defendant knew of his duty under the tax statutes and that he voluntarily and intentionally violated that duty.

It is for you to decide whether the defendant acted in good faith. Mere disagreement with the tax laws in and of itself does not constitute good faith misunderstanding of the requirements of the law, because it is the duty of all persons to obey the law whether or not they agree with it. Also, a person's belief that the tax laws violate his constitutional rights does not constitute a good faith misunderstanding of the law's requirements. Furthermore, a person's disagreement with the tax laws or government's monetary system and policies does not constitute a good faith misunderstanding of the requirements of the law.

Evidence that the defendant acted in good faith may be considered by you, together with all the other evidence, in determining whether or not he acted willfully.

INSTRUCTION NO. 18

A married individual was required to file a federal income tax return for the year 2002 if he had a separate gross income in excess of \$3000 and a total gross income, when combined with that of his spouse, in excess of \$13,850 where both are under sixty-five years old.

A married individual was required to file a federal income tax return for the year 2003 if he had a separate gross income in excess of \$3050 and a total gross income, when combined with that of his spouse, in excess of \$15,600 where both are under sixty-five years old.

A married individual was required to file a federal income tax return for the year 2004 if he had a separate gross income in excess of \$3100 and a total gross income, when combined with that of his spouse, in excess of \$15,900 where both are under sixty-five years old.

A married individual was required to file a federal income tax return for the year 2005 if he had a separate gross income in excess of \$3200 and a total gross income, when combined with that of his spouse, in excess of \$16,400 where both are under sixty-five years old.

INSTRUCTION NO. 19

The crime of corruptly endeavoring to obstruct or impede the due administration of the internal revenue laws of the United States, as charged in Count 6 of the Indictment, has two essential elements, which are:

One, the defendant knowingly endeavored to obstruct or impede the due administration of the Internal Revenue laws, that is, he:

(1) on or about March 7, 2005, filed a frivolous lawsuit in the United States District Court for the Northern District of Iowa, described as a "Libel of Review/Counterclaim in Admiralty," naming IRS Revenue Officer Arnold Stevenson as defendant;

(2) on or about September 20, 2005, filed a letter with the Linn County Recorder, wherein he threatened to sue Farmers State Bank and its president if the bank honored an Internal Revenue Service levy;

(3) on or about December 21, 2005, filed a fictitious Uniform Commercial Code lien with the Iowa Secretary of State's Office falsely claiming a debt owed by Revenue Officer Arnold Stevenson of \$84,823,043.44; and

Two, the defendant did so corruptly.

To act "corruptly" means to act knowingly and dishonestly with the specific intent to secure an unlawful benefit either for oneself or for another. The corrupt act itself need not be criminal.

To "endeavor to obstruct or impede" means to try to do something, the natural and probable consequences of which is to obstruct or impede the due administration of the internal revenue laws. Essentially, an endeavor is any effort to accomplish what the statute was enacted to prevent.

(CONTINUED)

INSTRUCTION NO. 19 (Cont'd)

To "obstruct or impede" means to hinder or prevent or delay, or make more difficult, the due administration of the internal revenue laws. It is not necessary for the government to prove that the administration of the internal revenue laws was in fact obstructed or impeded in any way, only that defendant corruptly endeavored to do so. The statute is directed at efforts to bring about a particular advantage such as impeding the collection of one's taxes, the taxes of another or the auditing of one's or another's tax records.

The phrase "due administration of the internal revenue laws" includes the Internal Revenue Service of the Department of Treasury carrying out its lawful functions in the ascertaining of income; the computing, assessing and collecting of income taxes; the auditing of tax returns and records; and the investigation of possible criminal violations of the internal revenue laws, such as the filing of false or fraudulent income tax returns.

It is not necessary that the government prove all of the alleged ways of committing the charged offense as stated in the Indictment. It would be sufficient if the government proves beyond a reasonable doubt that the defendant committed any one of the alleged ways with the corrupt intent to obstruct or impede the due administration of the Internal Revenue laws. You must, however, unanimously agree upon which of those alleged ways the defendant corruptly committed the crime charged.

If all of these elements have been proven beyond a reasonable doubt as to the defendant, then you must find the defendant guilty of Count 6; otherwise you must find the defendant not guilty of Count 6.

INSTRUCTION NO. 20

You have heard evidence that the defendant filed a Form 1040 (Individual Income Tax Return) in 2007 for each of the calendar years 2002, 2003, 2004 and 2005.

The late filing of the Forms 1040 for the tax years in question is not a defense to the criminal offenses charged in Counts 1 through 6.

However, you may consider that evidence on other issues for which you believe it may be relevant.

INSTRUCTION NO. 21

You will note that the Indictment charges that the offenses were committed “on or about” certain dates. The government need not prove with certainty the exact date or the exact time period of the offense charged. It is sufficient if the evidence establishes that the offense occurred within a reasonable time of the date or period of time alleged in the Indictment.

INSTRUCTION NO. 22

Intent may be proven by circumstantial evidence. It rarely can be established by other means. While witnesses may see or hear and thus be able to give direct evidence of what a person does or fails to do, there can be no eyewitness account of the state of mind with which the acts were done or omitted. But what a defendant does or fails to do may indicate intent or lack of intent to commit an offense.

You may consider it reasonable to draw the inference and find that a person intends the natural and probable consequences of acts knowingly done, but you are not required to do so. As I have said, it is entirely up to you to decide what facts to find from the evidence.

INSTRUCTION NO. 23

A reasonable doubt is a doubt based upon reason and common sense, and not the mere possibility of innocence. A reasonable doubt is the kind of doubt that would make a reasonable person hesitate to act. Proof beyond a reasonable doubt, therefore, must be proof of such a convincing character that a reasonable person would not hesitate to rely and act upon it. However, proof beyond a reasonable doubt does not mean proof beyond all possible doubt.

INSTRUCTION NO. 24

The government is not required to prove that the defendant knew that his acts or omissions were unlawful. An act is done “knowingly” if the defendant is aware of the act and does not act through ignorance, mistake or accident. You may consider evidence of the defendant’s words, acts or omissions, along with all the other evidence, in deciding whether the defendant acted knowingly.

INSTRUCTION NO. 25

Throughout the trial, you have been permitted to take notes. Your notes should be used only as memory aids, and you should not give your notes precedence over your independent recollection of the evidence.

In any conflict between your notes, a fellow juror's notes and your memory, your memory must prevail. Remember that notes sometimes contain the mental impressions of the note taker and can be used only to help you recollect what the testimony was. At the conclusion of your deliberations, your notes should be left in the jury room for destruction.

INSTRUCTION NO. 26

In conducting your deliberations and returning your verdicts, there are certain rules you must follow. I shall list those rules for you now.

First, when you go to the jury room, you must select one of your members as your foreperson. That person will preside over your discussions and speak for you here in court.

Second, it is your duty, as jurors, to discuss this case with one another in the jury room. You should try to reach an agreement if you can do so without violence to individual judgment, because your verdicts—whether guilty or not guilty—must be unanimous.

Each of you must make your own conscientious decision, but only after you have considered all the evidence, discussed it fully with your fellow jurors and listened to the views of your fellow jurors.

Do not be afraid to change your opinions if the discussion persuades you that you should. But do not come to a decision simply because other jurors think it is right or simply to reach a verdict.

Third, if the defendant is found guilty, the sentence to be imposed is my responsibility. You may not consider punishment in any way in deciding whether the government has proved its case beyond a reasonable doubt.

Fourth, if you need to communicate with me during your deliberations, you may send a note to me through the Court Security Officer, signed by one or more jurors. I will respond as soon as possible either in writing or orally in open court. Remember that you should not tell anyone—including me—how your votes stand numerically.

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INSTRUCTION NO. 26 (Cont'd)

Fifth, your verdicts must be based solely on the evidence and on the law which I have given to you in my instructions. The verdicts, whether guilty or not guilty, must be unanimous. Nothing I have said or done is intended to suggest what your verdicts might be—that is entirely for you to decide.

INSTRUCTION NO. 27

Attached to these instructions you will find the Verdict Forms. The Verdict Forms are simply the written notices of the decisions that you reach in this case. The answers to the Verdict Forms must be the unanimous decisions of the jury.

You will take the Verdict Forms to the jury room, and when you have completed your deliberations and each of you has agreed to the answers to the Verdict Forms, your foreperson will fill out the Verdict Forms, sign and date them and advise the Court Security Officer that you are ready to return to the courtroom.

Finally, members of the jury, take this case and give it your most careful consideration, and then without fear or favor, prejudice or bias of any kind, return the Verdict Forms in accord with the evidence and these instructions.

March 4, 2009

Date

Linda R. Reade

**Linda R. Reade, Chief Judge
United States District Court
Northern District of Iowa**

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
CEDAR RAPIDS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RICHARD LEE MELLOR,

Defendant.

No. 08-CR-49-LRR

**VERDICT FORM
COUNT 1**

We, the Jury, unanimously find the defendant, Richard Lee Mellor,
_____ of the crime charged in Count 1 of the Indictment.

Not Guilty/ Guilty

Note: If you unanimously find the defendant, Richard Lee Mellor, not guilty of the above crime, have your foreperson write "not guilty" in the above blank space, and sign and date this Verdict Form. Then, go on to answer the Verdict Form for Count 2.

If you unanimously and beyond a reasonable doubt find the defendant, Richard Lee Mellor, guilty of the above crime, have your foreperson write "guilty" in the above blank space, then sign and date this Verdict Form. Then, go on to answer the Verdict Form for Count 2.

FOREPERSON

DATE

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
CEDAR RAPIDS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RICHARD LEE MELLOR,

Defendant.

No. 08-CR-49-LRR

**VERDICT FORM
COUNT 2**

We, the Jury, unanimously find the defendant, Richard Lee Mellor,
_____ of the crime charged in Count 2 of the Indictment.

Not Guilty/ Guilty

Note: If you unanimously find the defendant, Richard Lee Mellor, not guilty of the above crime, have your foreperson write "not guilty" in the above blank space, and sign and date this Verdict Form. Then, go on to answer the Verdict Form for Count 3.

If you unanimously and beyond a reasonable doubt find the defendant, Richard Lee Mellor, guilty of the above crime, have your foreperson write "guilty" in the above blank space, then sign and date this Verdict Form. Then, go on to answer the Verdict Form for Count 3.

FOREPERSON

DATE

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
CEDAR RAPIDS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RICHARD LEE MELLOR,

Defendant.

No. 08-CR-49-LRR

**VERDICT FORM
COUNT 3**

We, the Jury, unanimously find the defendant, Richard Lee Mellor,
_____ of the crime charged in Count 3 of the Indictment.

Not Guilty/ Guilty

Note: If you unanimously find the defendant, Richard Lee Mellor, not guilty of the above crime, have your foreperson write "not guilty" in the above blank space, and sign and date this Verdict Form. Then, go on to answer the Verdict Form for Count 4.

If you unanimously and beyond a reasonable doubt find the defendant, Richard Lee Mellor, guilty of the above crime, have your foreperson write "guilty" in the above blank space, then sign and date this Verdict Form. Then, go on to answer the Verdict Form for Count 4.

FOREPERSON

DATE

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
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UNITED STATES OF AMERICA,

Plaintiff,

vs.

RICHARD LEE MELLOR,

Defendant.

No. 08-CR-49-LRR

**VERDICT FORM
COUNT 4**

We, the Jury, unanimously find the defendant, Richard Lee Mellor,
_____ of the crime charged in Count 4 of the Indictment.

Not Guilty/ Guilty

Note: If you unanimously find the defendant, Richard Lee Mellor, not guilty of the above crime, have your foreperson write "not guilty" in the above blank space, and sign and date this Verdict Form. Then, go on to answer the Verdict Form for Count 5.

If you unanimously and beyond a reasonable doubt find the defendant, Richard Lee Mellor, guilty of the above crime, have your foreperson write "guilty" in the above blank space, then sign and date this Verdict Form. Then, go on to answer the Verdict Form for Count 5.

FOREPERSON

DATE

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
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UNITED STATES OF AMERICA,

Plaintiff,

vs.

RICHARD LEE MELLOR,

Defendant.

No. 08-CR-49-LRR

**VERDICT FORM
COUNT 5**

We, the Jury, unanimously find the defendant, Richard Lee Mellor,
_____ of the crime charged in Count 5 of the Indictment.

Not Guilty/ Guilty

Note: If you unanimously find the defendant, Richard Lee Mellor, not guilty of the above crime, have your foreperson write "not guilty" in the above blank space, and sign and date this Verdict Form. Then, go on to answer the Verdict Form for Count 6.

If you unanimously and beyond a reasonable doubt find the defendant, Richard Lee Mellor, guilty of the above crime, have your foreperson write "guilty" in the above blank space, then sign and date this Verdict Form. Then, go on to answer the Verdict Form for Count 6.

FOREPERSON

DATE

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
CEDAR RAPIDS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RICHARD LEE MELLOR,

Defendant.

No. 08-CR-49-LRR

**VERDICT FORM
COUNT 6**

We, the Jury, unanimously find the defendant, Richard Lee Mellor,
_____ of the crime charged in Count 6 of the Indictment.

Not Guilty/ Guilty

Note: If you unanimously find the defendant, Richard Lee Mellor, not guilty of the above crime, have your foreperson write "not guilty" in the above blank space, and sign and date this Verdict Form. This completes your deliberations.

If you unanimously and beyond a reasonable doubt find the defendant, Richard Lee Mellor, guilty of the above crime, have your foreperson write "guilty" in the above blank space, then sign and date this Verdict Form. This completes your deliberations.

FOREPERSON

DATE