

1 MR. DRUCKER: At one point you said used or threatened  
2 the use of.

3 THE COURT: That's what the statute says.

4 MR. DRUCKER: No. The statute says armed with a deadly  
5 weapon. And when you gave the element you did it  
6 correctly.

7 Again, I think in this case it is not a real  
8 distinction, but just to be consistent just armed with a  
9 deadly weapon, not anything else.

10 And I would ask if they asked again for the drug sale,  
11 drug conspiracy if the Court just use the phrase on/or  
12 about the various dates.

13 THE COURT: Okay.

14 MR. WILLIAMS: No, your Honor, I don't have no objection  
15 to the charge.

16 MR. DRUCKER: And just one thing, and the Court charged  
17 it correctly, I'm not saying in anyway the court didn't--

18 THE COURT: That's okay.

19 MR. DRUCKER: I can see the jury being confused and  
20 thinking we had to prove every one of the overt acts.

21 You charged it properly. My fear is the jury may have  
22 lost that and so if they ask it again just to make that  
23 clear.

24 THE COURT: Of course. Of course. Of course.

25 Okay. We'll sit here for a bit and see, if anything,

Lourdes Torres-Fuster, Senior Court Reporter

*Working together  
Judge and  
against me  
Lawyer's*