

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

UNITED STATES OF AMERICA            )  
  )  
                  v.                                    ) Criminal Action No. 23-cr-61-MN  
  )  
ROBERT HUNTER BIDEN,                 )  
  )  
  Defendant.    )

**JOINT PROPOSED VOIR DIRE**

The parties, through undersigned counsel, hereby move the Court to consider the following Joint Proposed Voir Dire. Requested additions to the Court’s sample voir dire are bolded. Text specific to this case is italicized.

Respectfully submitted,

DAVID C. WEISS  
Special Counsel

By: */s/ Derek E. Hines*

\_\_\_\_\_  
Derek H. Hines  
Senior Assistant Special Counsel  
Leo J. Wise  
Principal Senior Assistant Sp. Counsel

U.S. Department of Justice

*/s/ Abbe David Lowell*  
\_\_\_\_\_  
Abbe David Lowell  
Christopher D. Man  
Counsel for Defendant

Dated: May 17, 2024

Good morning, ladies and gentlemen. I am Judge Noreika. We are going to select a jury in a criminal case called *United States of America v. Robert Hunter Biden*.

I am going to ask you a series of questions to help the Court and the attorneys in the jury selection process. Before I ask any questions, I am going to ask the Deputy Clerk to swear in the jury panel to answer any questions truthfully. (To Deputy, Please swear the panel).

If any of you answer “yes” to any of the questions that I ask, please raise your hand, and, when recognized by me, please stand, state your name and your jury number. At the end of the questions, the Deputy Clerk will ask some of you to take seats in the jury box, and, after that, the lawyers and I may ask those of you who answered “yes” to one or more questions to come up to the bench to discuss your answers with the lawyers and me.

The presentation of evidence in this case is expected to take up to *six* days, but jury deliberations could extend your service beyond that. The schedule that I expect to keep over the days of evidence presentation will include a morning break of fifteen minutes, a lunch break of an hour,

and an afternoon break of fifteen minutes. We will start at 9:30 a.m. and finish no later than 5:30 p.m. each day.

1. Does the schedule that I have just mentioned present a special problem to any of you?

2. This is a criminal case involving the following three charges against the defendant, Robert Hunter Biden:

- i. Count One alleges that the defendant made a false statement in the purchase of a firearm, in violation of Title 18, United States Code, Section 922(a)(6).*
- ii. Count Two alleges that the defendant made a false statement related to information required to be kept by law by a federal firearms licensed dealer, in violation of Title 18, United States Code, Section 924(a)(1)(A).*
- iii. Count Three alleges that the defendant, knowing that he was an unlawful user of a controlled substance or addicted to a controlled substance, did knowingly possess a firearm, in violation of Title 18, United States Code, Section 922(g)(3).*

The jury in this case will be asked to decide whether *Mr. Biden* is guilty beyond a reasonable doubt of the charges against *him*.

2A. Have any of you heard or read anything about this case **or the underlying investigation from the news, social media, or any other source?**

a. **If so, from what news outlet, Internet site, social media, or other source did you learn it?**

b. **Generally speaking, where do you get your news from (e.g., newspapers, television, radio, magazines, podcasts, social media)?**

2B. **Have you formed any opinions about this case in what you have heard or read?**

2C. Is there anything about the nature of the charges that would prevent you from being a fair and impartial juror?

3. The lawyers involved in this case are: *Derek Hines and Leo Wise, of the United States Department of Justice. These two lawyers represent the United States. Abbe Lowell and David Kolansky of Winston & Strawn LLP, and Bartholomew Dalton of Dalton and Associates, represent Robert Hunter Biden.* Do any of you or your immediate families,

such as spouse, child, parent, or sibling, know any of the attorneys I have just named?

4. Have any of you or your immediate families had any business dealings with, or been employed by, any of these attorneys or *their offices*?

**5. I will be the presiding judge in this case. Do you or anyone close to you know me, my family, or any of the court staff?**

**6. Are you, your immediate family, or close friends acquaintances with Robert Hunter Biden or any member of his family?**

7. The potential witnesses in this case are:

- *[The parties will each provide the court with a witness list in advance of jury selection]*

Are you familiar with any of these potential witnesses?

8. The law enforcement agencies involved in this case are:

- *The Federal Bureau of Investigation (FBI), the Bureau of Alcohol, Tobacco, and Firearms (ATF), the U.S. Drug Enforcement Administration (DEA), and the Delaware State Police (DSP).*

Would the fact that *those agencies* investigated this case interfere with your ability to be fair and impartial?

9. Have you, any member of your immediate family, **or any of your close friends** ever been employed by, or investigated by, any law enforcement agency, including: *Delaware or other state or local police, the FBI, ATF, DEA, the Secret Service, U.S. Marshals, the IRS, U.S. Immigration and Customs Enforcement, U.S. Customs and Border Protection, the Bureau of Prisons, any state or federal prosecutor's office, or any state or local prison system?*

10. Do you believe that you will give more or less weight to the testimony of a law enforcement officer, simply because he or she is employed as a law enforcement officer?

11. Have you or any member of your immediate family ever been (a) a victim of a crime, (b) a witness in a criminal case, or (c) arrested for a crime, not including minor traffic offenses?

12. Do you have any opinions about the criminal justice system that might make it difficult for you to be a fair and impartial juror in this case?

13. Are you, a family member or very close friend studying, planning to, or currently working in a legal profession (e.g., lawyer, paralegal, legal secretary)?

14. Do you have any education or training or work experience in any of the following areas: firearms; law enforcement or policing; investigations; substance/alcohol abuse; laboratory testing; retail sales?

**Firearms**

15. Do you believe that all people should be permitted by law to buy or possess a firearm regardless of whether they have been or are a user of a controlled substance or addicted to a controlled substance?

16. Do you believe that the government should not be able to require a background check for a gun purchase?

17. Do you or a close family member have any experience purchasing a firearm (including a handgun, pistol, automatic rifle, hunting rifle, or other)?

a. If so, please explain.

**b. If so, what was the purpose of the purchase? (E.g., recreational, self-protection, hunting/sport, collector, other)**

**18. Are you familiar with any laws, regulations, or requirements regarding purchasing, owning, or selling a firearm?**

**19. Have you or a close a family member ever filled out any government forms as part of the purchase of a firearm?**

**20. Do you have any strong views about gun ownership in this country, the gun lobby, or the Second Amendment?**

**21. Do you have any strong views about whether adults in the United States, who do not have a criminal conviction, should be precluded from possessing a firearm?**

**Politics**

**22. Were you eligible to vote in any elections in which Joseph R. Biden was a candidate?**

**a. If so, which election years?**

**b. If your answer is yes, would that fact prevent you from maintaining an open, impartial mind until all of the**



evidence is presented, and the instructions of the Court are given?

**23. Have you ever donated money to a political campaign?**

**a. If so, how recently? Which candidates?**

**b. If your answer is yes, would that fact prevent you from maintaining an open, impartial mind until all of the evidence is presented, and the instructions of the Court are given?**

**24. Have you ever been actively involved in a political campaign, political organization, or any organization that is associated with a political party? If yes,**

**a. What campaign or organization and when?**

**b. How long were you a member?**

**c. Were you actively involved?**

**d. Have you ever held any office or leadership position in such organization or organizations?**

**i. If yes, what office and for how long?**

**25. Have you, or any member of your immediate family or household ever run for, sought, or held any elected or appointed**

**political office?**

**a. If yes, who, what office and when?**

**26. How closely are you following the campaign for the 2024 Presidential Election?**

**27. Do your views regarding the 2024 election or of any of the candidates for president in any way prevent you from being a fair and impartial juror in this case?**

**28. Do you believe the United States Department of Justice, the FBI, ATF, DEA, or any other law enforcement agency investigates and prosecutes individuals because of politics?**

**a. If yes, please explain.**

**29. Do you believe Hunter Biden is being prosecuted in this case because his father is the President of the United States and a candidate for President?**

**30. Do you believe Hunter Biden is *not* being prosecuted for other crimes because his father is the President of the United States and a candidate for President?**

31. Raise your hand if you do not believe in this statement:  
The law should apply equally to all, including the son of the President.

Addiction Matters

32. Have you, a family member, a partner/spouse, or a very close friend ever suffered from drug or alcohol abuse, or been addicted to drugs or alcohol in any way?

33. Have you, a family member, a partner/spouse, or a very close friend ever sought treatment, professional counselling, entered a rehab program, gone to Alcoholics Anonymous, or tried other forms of addiction treatment or therapy?

34. Do you have any strong negative views about past users of controlled substances, narcotics, or alcohol?

35. Do you believe someone who is addicted to drugs should not be charged with a crime?

36. Do you have any opinions about addiction to drugs or alcohol that would prevent you from maintaining an open, impartial mind until all of the evidence is presented, and the instructions of the Court are given?

37. If you are selected to sit as a juror in this case, are you aware of any reason why you would be unable to render a verdict solely on the evidence presented at trial?

38. If you are selected to sit as a juror in this case, are you aware of any reason why you would not be able to follow the law as I give it to you?

**39. If you are chosen to sit as a juror in this case, you will be instructed that you will not be able to do Internet research on any issues in the case or communicate with others about your jury service. Is this an instruction that you will be able to follow?**

**40. Under the law, a defendant need not testify or produce any evidence. The burden of proof is always on the government. If a defendant does not testify, the jury may not consider that fact in any way in reaching a decision. Would you have any difficulty following this rule?**

41. A fundamental principle of our legal system is that when a person is charged with a crime, *he* is presumed to be innocent unless and until the Government proves guilt beyond a reasonable doubt. If you are

selected as to sit as a juror in this case, will you have difficulty following this rule of law?

42. *Robert Hunter Biden*, as the defendant in this case, may choose not to testify in his own defense, and I instruct you that the choice not to testify, if that is *Robert Hunter Biden's* choice, may not be held against *him*. If you are selected as a juror in this case, will you have difficulty following this instruction?

43. Testimony may be presented in this case by a witness who has agreed to testify as part of a guilty plea agreement with the Government. I instruct you that if such a witness testifies, you will have to evaluate that witness's testimony as you would that of any other witness. If you are selected as a juror in this case, will you have difficulty following this instruction?

44. Have you served on a jury in a criminal case before?

**a. If yes, when and what kind of case was it?**

**b. If yes, were you the foreperson on such a jury?**

45. Have you served on a grand jury before?

**46. Have you ever been a witness in a civil or criminal matter, or been a plaintiff or defendant in any case?**

**a. If yes, which ones and what was your role?**

47. Is there anything, such as poor vision, difficulty hearing, difficulty understanding spoken or written English, that would make it difficult for you to serve on this jury?

48. This is the last question. Is there anything else, including something that you have remembered in connection with one of the earlier questions, that you think you would like to tell me in connection with your service as a juror in this case?