

**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 SUBMISSION ON COURT’S PROPOSED VOIR DIRE

The parties, through undersigned counsel, write in response to the Court’s Oral Order (Doc. No. 195) requesting any corrections or objections to the Court’s Proposed Voir Dire, and respectfully request as follows:

Question 2 – please insert the following language prior to the final question (Have you heard...): “Mr. Biden has pled not guilty to each of the charges and is presumed to be innocent.”

Question 2i. and 2.ii – the defendant requests the word “knowingly” be added. The government opposes this request as unnecessary and asks the current version sent by the Court be used.

Question 2iii. – the government requests that this instruction be modified to “Count Three charges the defendant with possession of a firearm by a person who is an unlawful user of or addicted to a controlled substance.” The defendant opposes as not including an essential element and asks the current version sent by the Court be used.

Question 42 – please change to the following: “Testimony may be presented in this case by a witness who has received a grant of immunity. 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?" No witnesses are expected to testify in this trial pursuant to a plea agreement. The defendant requests the second sentence reads: "I will instruct you on how to carefully evaluate such an immunized witness's testimony" because stating that such testimony is heard "as you would that of any other witness" is not correct and differs from both parties' proposed jury instructions. The government opposes this change.

Respectfully submitted,

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