

THE ESTATE OF MARQUEZ SMART,)
by Randall Smart and Brenda Bryant)
as Administrators of the Estate of)
Marquez Smart,)
)
Plaintiff,)
)
v.) Case No. 14-2111-JPO
)
OFFICER AARON CHAFFEE,)
in his individual capacity,)
)
Defendant.)

This case is set No. 1 for jury trial in Wichita on August 16, 2021. The undersigned U.S. Magistrate Judge, James P. O’Hara, conducted a status conference on April 27, 2021, to discuss a draft juror questionnaire submitted by the parties (*see* ECF Nos. 286, 286-1). The parties agreed on the overwhelming majority of questions, which the court highly commends. As to the disputed portions of the draft questionnaire (ECF No. 286-1), the court ruled as follows:

Question 9.h: Defendant's objection overruled.

Question 9.j: Defendant's objection sustained. The question will be revised to read, "Police are likely to use the same amount of force when confronting a suspect, regardless of the suspect's race."

Question 9.k: Defendant's objection sustained. This question will be eliminated.

Question 34: Defendant's objection sustained. This question will be eliminated.

Question 36: Defendant's objection overruled.

To be clear, the court's rulings recited herein do not foreclose a party from inquiring about particular issues during voir dire (or, for that matter, foreclose a party from objecting to a particular question during voir dire).

The court will finalize the questionnaire and direct the Clerk's Office to mail the questionnaire to the venire.

SO ORDERED.

Dated April 27, 2021, at Kansas City, Kansas.

s/ James P. O'Hara
James P. O'Hara
U.S. Magistrate Judge