

IN THE CIRCUIT CRIMINAL COURT OF HENRY COUNTY

STATE OF ALABAMA

VS

FREDERICK MICHAEL FURNISS,
DEFENDANT

CASE # CC-2010-025

JURY VERDICT

WE, THE JURY, FIND THE DEFENDANT, FREDERICK
MICHAEL FURNISS, NOT GUILTY.

Mary Bradley

FOREPERSON

02-13-2013

DATE

Shirlene B. Vickens

HENRY COUNTY CIRCUIT CLERK

RECEIVED

2013 FEB 13 11:07
Shirlene B. Vickens
Circuit Clerk
Henry County, Alabama

JUR250
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ALABAMA JUDICIAL INFORMATION SYSTEM
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0006 BLANKENSHIP NATHAN LEE
0008 BRADLEY MARY HELEN
0010 CHITTY TOSHA LASHUN

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0044 KELLEY HUSTON PRESTON
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0014 CRADDOCK FLOYD JR
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CC-2010-025
State of Alabama
vs.

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0019 DAVIS ANNE BURNHAM

Frederick Michael Turniss

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0021 DAVIS PAMELA JOYCE
0022 DAVIS RUSSELL

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0024 DREW JEFFERY DALE
0025 ESPY ROBERT CRAIG
0026 ETHRIDGE CAROL W
0028 FLOYD ASPEN TYAHN
0029 FLOYD GERALD JEROME

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FEB 13 2013
Shirlene B. Vickers
Circuit Clerk
Henry County, Alabama

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0036 HAWTHORNE
0037 HILTON JESSIE DEWAYNE *ALT*
0038 HOLLEY AMANDA BROOK *Excused*

* * * PROGRAM TOTALS * * *

RECORDS WRITTEN: *37 36*

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
State	16	40	39	47	4	20	18	31	13	15	3	1										
Def	34	36	33	24	23	30	12	25	2	52	26	37										

ALT

IN THE CIRCUIT COURT OF HENRY COUNTY, ALABAMA

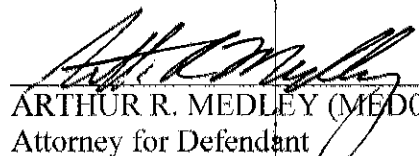
STATE OF ALABAMA,)
)
VS.)
)
FREDERICK MICHAEL FURNISS.)

CASE NUMBER: CC 2010-25

DEFENDANT'S REQUESTED JURY CHARGE

COMES NOW the Defendant in the above-styled cause and submits the attached requested jury instructions to the Court. The Defendant submits that said jury instructions are correct statements of the law as the same applies to the facts in this case and requests that the Court charge the jury on the same.

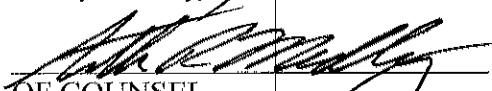
Respectfully submitted this 13th day of February 2013.


ARTHUR R. MEDLEY (MED009)
Attorney for Defendant

FILED
FEB 13 2013
Shirlene B. Vickers
Clerk
Henry County, Alabama

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing upon Sara Glenney,
counsel of record, by hand delivery this the 13 day of February 2013.


OF COUNSEL

DEFENDANT'S REQUESTED CHARGE 1

Ladies and gentlemen of the jury, the State has offered evidence of the Defendant's statement wherein there was discussion of certain drug use by various individuals and it is the State's contention that the Defendant allowed that conduct to occur. As jurors, it is your job to determine the truth of these contentions and what weight, if any, you might assign to them in this case. The sole matter for your determination is the guilt or innocence of the Defendant in regard to the charge actually before you which is Sodomy second-degree, the elements of which I have already given you. This is not a drug case.

Evidence such as this statement referring to drug use, which is considered evidence of other crimes, wrongs or acts, is not admissible to prove the character of a person in order to show action in conformity therewith. That would be the same as saying that if you believe the other acts occurred then the Defendant must be a bad person and must have committed the alleged offense of sodomy too. That would be improper and you cannot do that.

The State maintains that this other evidence is offered to prove Opportunity as it relates to the charge of sodomy second-degree. Therefore, you can only use that evidence for the purpose of establishing Opportunity as it relates to the elements of sodomy second-degree and for no other purpose.

Ex parte Billups, 86 So.3d 1079 (Ala. 2010).

X
GIVEN

REFUSED


CIRCUIT JUDGE