

1 SANTA ANA, CALIFORNIA; WEDNESDAY, JANUARY 4, 2006; 9:00 A.M.

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3 THE COURT: WE ARE RESUMING IN THE MATTER *UNITED*  
4 *STATES VERSUS BENNETT*.

5 WE HAVE ALL JURORS, DEFENDANT, COUNSEL. AND WE  
6 RESUME THE INSTRUCTION OF THE JURY.

7 AND MEMBERS OF THE JURY, I DO ASSURE YOU THAT A  
8 COPY OF MY INSTRUCTIONS WILL BE SUPPLIED TO YOU IN THE JURY  
9 ROOM, WHAT WE COVERED YESTERDAY AND WHAT WE COVER TODAY.

10 THE SECOND SUPERSEDING INDICTMENT REFERRED --

11 EXCUSE ME, SUBMITTED TO YOU AS THE TRIAL INDICTMENT AND

12 REFERRED TO IN MY INSTRUCTIONS AS THE INDICTMENT CHARGES

13 THAT THE OFFENSES ALLEGED WERE COMMITTED ON OR ABOUT A

14 CERTAIN DATE. ALTHOUGH IT IS NECESSARY FOR THE GOVERNMENT

15 TO PROVE BEYOND A REASONABLE DOUBT THAT THE OFFENSES WERE

16 COMMITTED ON A DATE REASONABLY NEAR THE DATE ALLEGED IN THE

17 INDICTMENT, IT IS NOT NECESSARY FOR THE GOVERNMENT TO PROVE

18 THAT THE OFFENSE WAS COMMITTED PRECISELY ON THE DATE

19 CHARGED.

20 THE EVIDENCE IN WHICH YOU ARE TO DECIDE WHAT THE

21 FACTS ARE CONSISTS OF THE SWORN TESTIMONY OF ANY WITNESS,

22 THE EXHIBITS WHICH HAVE BEEN RECEIVED INTO EVIDENCE AND ANY

23 FACTS AS TO WHICH ALL THE LAWYERS MAY HAVE STIPULATED.

24 SOME EVIDENCE DURING TRIAL MAY HAVE BEEN ADMITTED

25 FOR A LIMITED PURPOSE ONLY. IF I INSTRUCTED YOU THAT AN