



IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Norfolk Division

UNITED STATES OF AMERICA	)	
	)	
v.	)	Criminal No. 2:11cr34
	)	
SHANI NURANI SHIEKH ABRAR	)	
	)	
	)	
Defendant	)	

SPECIAL VERDICT FORM - ELIGIBILITY PHASE

I. AGE

SHANI NURANI SHIEKH ABRAR was 18 years of age or older at the time of the offenses.

YES ✓

NO _____

If your unanimous finding is "YES," move on to the Threshold Intent/"Gateway" Factors in Section II. If your finding is "NO," stop your deliberations and complete Section IV.

II. THRESHOLD INTENT/"GATEWAY" FACTORS

Instructions: For the following two Threshold Intent or "Gateway" Factors, if you unanimously find that one of these two factors has been proved beyond a reasonable doubt with respect to each of Counts 1-5, 7-19 and 22-25, place an "X" next to "YES" as to that factor for that count.

FACTOR (1): SHANI NURANI SHIEKH ABRAR intentionally participated in an act, contemplating that the life of a person would be taken or intending that lethal force would be used in connection with a person, other than one of the participants of the offense, and Scott Underwood Adam, Jean Savage Adam, Phyllis Patricia Macay and/or Robert Campbell Riggle died as a direct result of the act.

Count One (Conspiracy to Commit Hostage Taking Resulting in Death)

YES _____

NO _____

Count Two (Hostage Taking Resulting in Death)

YES _____

NO _____

Count Three (Hostage Taking Resulting in Death)

YES _____

NO _____

Count Four (Hostage Taking Resulting in Death)

YES _____

NO _____

Count Five (Hostage Taking Resulting in Death)

YES _____

NO _____

Count Seven (Kidnapping Resulting in Death)

YES _____

NO _____

Count Eight (Kidnapping Resulting in Death)

YES _____

NO _____

Count Nine (Kidnapping Resulting in Death)

YES _____

NO _____

Count Ten (Kidnapping Resulting in Death)

YES _____

NO _____

Count Eleven (Conspiracy to Commit Violence Against Maritime Navigation Resulting in Death)

YES _____

NO _____

Count Twelve (Violence Against Maritime Navigation Resulting in Death)

YES _____

NO _____

Count Thirteen (Violence Against Maritime Navigation Resulting in Death)

YES _____

NO _____

Count Fourteen (Violence Against Maritime Navigation Resulting in Death)

YES _____

NO _____

Count Fifteen (Violence Against Maritime Navigation Resulting in Death)

YES _____

NO _____

Count Sixteen (Murder Within the Special Maritime and Territorial Jurisdiction of the United States)

YES _____

NO _____

Count Seventeen (Murder Within the Special Maritime and Territorial Jurisdiction of the United States)

YES _____

NO _____

Count Eighteen (Murder Within the Special Maritime and Territorial Jurisdiction of the United States)

YES _____

NO _____

Count Nineteen (Murder Within the Special Maritime and Territorial Jurisdiction of the United States)

YES _____

NO _____

Count Twenty-Two (Use, Carry, Brandish and Discharge of a Firearm During a Crime of Violence Causing Death)

YES _____

NO _____

Count Twenty-Three (Use, Carry, Brandish and Discharge of a Firearm During a Crime of Violence Causing Death)

YES _____

NO _____

Count Twenty-Four (Use, Carry, Brandish and Discharge of a Firearm During a Crime of Violence Causing Death)

YES _____

NO _____

Count Twenty-Five (Use, Carry, Brandish and Discharge of a Firearm During a Crime of Violence Causing Death)

YES _____

NO _____

FACTOR (2): SHANI NURANI SHIEKH ABRAR intentionally and specifically engaged in an act of violence, knowing that the act created a grave risk of death to a person, other than one of the participants in the offense, such that participation in the act constituted a reckless disregard for human life and Scott Underwood Adam, Jean Savage Adam, Phyllis Patricia Macay and/or Robert Campbell Riggle died as a direct result of the act.

Count One (Conspiracy to Commit Hostage Taking Resulting in Death)

YES ✓

NO _____

Count Two (Hostage Taking Resulting in Death)

YES ✓

NO _____

Count Three (Hostage Taking Resulting in Death)

YES ✓

NO _____

Count Four (Hostage Taking Resulting in Death)

YES ✓

NO _____

Count Five (Hostage Taking Resulting in Death)

YES ✓

NO _____

Count Seven (Kidnapping Resulting in Death)

YES ✓

NO _____

Count Eight (Kidnapping Resulting in Death)

YES ✓

NO _____

Count Nine (Kidnapping Resulting in Death)

YES ✓

NO _____

Count Ten (Kidnapping Resulting in Death)

YES ✓

NO _____

Count Eleven (Conspiracy to Commit Violence Against Maritime Navigation Resulting in Death)

YES ✓

NO _____

Count Twelve (Violence Against Maritime Navigation Resulting in Death)

YES ✓

NO _____

Count Thirteen (Violence Against Maritime Navigation Resulting in Death)

YES ✓

NO _____

Count Fourteen (Violence Against Maritime Navigation Resulting in Death)

YES ✓

NO _____

Count Fifteen (Violence Against Maritime Navigation Resulting in Death)

YES ✓

NO _____

Count Sixteen (Murder Within the Special Maritime and Territorial Jurisdiction of the United States)

YES ✓

NO _____

Count Seventeen (Murder Within the Special Maritime and Territorial Jurisdiction of the United States)

YES ✓

NO _____

Count Eighteen (Murder Within the Special Maritime and Territorial Jurisdiction of the United States)

YES ✓

NO _____

Count Nineteen (Murder Within the Special Maritime and Territorial Jurisdiction of the United States)

YES ✓

NO _____

Count Twenty-Two (Use, Carry, Brandish and Discharge of a Firearm During a Crime of Violence Causing Death)

YES ✓

NO _____

Count Twenty-Three (Use, Carry, Brandish and Discharge of a Firearm During a Crime of Violence Causing Death)

YES ✓

NO _____

Count Twenty-Four (Use, Carry, Brandish and Discharge of a Firearm During a Crime of Violence Causing Death)

YES ✓

NO _____

Count Twenty-Five (Use, Carry, Brandish and Discharge of a Firearm During a Crime of Violence Causing Death)

YES ✓

NO _____

Instructions: If you answered "NO" with respect to both Threshold Intent or "Gateway" Factors in Section II above for all of the listed counts, then that ends your consideration of whether the defendant is eligible for a sentence of death. You must stop your deliberations, complete Section IV and advise the Court that you have reached a decision.

If you unanimously answered "YES" with respect to one of the Threshold Intent or "Gateway" Factors in Section II above for any count, then continue your deliberations in accordance with the Court's instructions and proceed to Section III for that count.

III. STATUTORY AGGRAVATING FACTORS

Instructions: For each of the following, answer "YES" if you, the jury, unanimously find that the government has established the existence of that statutory aggravating factor beyond a reasonable doubt for each of Counts 1-5, 7-19 and 22-25. If you are not unanimous as to the existence of a statutory aggravating factor for a given count, answer "NO." In this category, you may answer "YES" to more than one statutory aggravating factor.

FACTOR (1): The deaths, or injuries resulting in deaths, occurred during the defendant, SHANI NURANI SHIEKH ABRAR's commission or attempted commission of, or during his immediate flight from, the offenses of Kidnapping (Count 7-10); Hostage Taking (Counts 2-5); and Violence Against Maritime Navigation (Counts 12-15).

Count One (Conspiracy to Commit Hostage Taking Resulting in Death)

YES ✓

NO _____

Count Two (Hostage Taking Resulting in Death)

YES ✓

NO _____

Count Three (Hostage Taking Resulting in Death)

YES ✓

NO _____

Count Four (Hostage Taking Resulting in Death)

YES ✓

NO _____

Count Five (Hostage Taking Resulting in Death)

YES ✓

NO _____

Count Seven (Kidnapping Resulting in Death)

YES ✓

NO _____

Count Eight (Kidnapping Resulting in Death)

YES ✓

NO _____

Count Nine (Kidnapping Resulting in Death)

YES ✓

NO _____

Count Ten (Kidnapping Resulting in Death)

YES ✓

NO _____

Count Eleven (Conspiracy to Commit Violence Against Maritime Navigation Resulting in Death)

YES ✓

NO _____

Count Twelve (Violence Against Maritime Navigation Resulting in Death)

YES ✓

NO _____

Count Thirteen (Violence Against Maritime Navigation Resulting in Death)

YES ✓

NO _____

Count Fourteen (Violence Against Maritime Navigation Resulting in Death)

YES ✓

NO _____

Count Fifteen (Violence Against Maritime Navigation Resulting in Death)

YES ✓

NO _____

Count Sixteen (Murder Within the Special Maritime and Territorial Jurisdiction of the United States)

YES ✓

NO _____

Count Seventeen (Murder Within the Special Maritime and Territorial Jurisdiction of the United States)

YES ✓

NO _____

Count Eighteen (Murder Within the Special Maritime and Territorial Jurisdiction of the United States)

YES ✓

NO _____

Count Nineteen (Murder Within the Special Maritime and Territorial Jurisdiction of the United States)

YES ✓

NO _____

Count Twenty-Two (Use, Carry, Brandish and Discharge of a Firearm During a Crime of Violence Causing Death)

YES ✓

NO _____

Count Twenty-Three (Use, Carry, Brandish and Discharge of a Firearm During a Crime of Violence Causing Death)

YES ✓

NO _____

Count Twenty-Four (Use, Carry, Brandish and Discharge of a Firearm During a Crime of Violence Causing Death)

YES ✓

NO _____

Count Twenty-Five (Use, Carry, Brandish and Discharge of a Firearm During a Crime of Violence Causing Death)

YES ✓

NO _____

FACTOR (2): The defendant, SHANI NURANI SHIEKH ABRAR, during the commission of the offenses, or in escaping apprehension for the violation of the offenses, knowing created a grave risk of death to one or more persons in addition to the victims of the offenses.

Count One (Conspiracy to Commit Hostage Taking Resulting in Death)

YES _____

NO ✓

Count Two (Hostage Taking Resulting in Death)

YES _____

NO ✓

Count Three (Hostage Taking Resulting in Death)

YES _____

NO ✓

Count Four (Hostage Taking Resulting in Death)

YES _____

NO ✓

Count Five (Hostage Taking Resulting in Death)

YES _____

NO ✓

Count Seven (Kidnapping Resulting in Death)

YES _____

NO ✓

Count Eight (Kidnapping Resulting in Death)

YES _____

NO ✓

Count Nine (Kidnapping Resulting in Death)

YES _____

NO ✓

Count Ten (Kidnapping Resulting in Death)

YES _____

NO ✓

Count Eleven (Conspiracy to Commit Violence Against Maritime Navigation Resulting in Death)

YES _____

NO ✓

Count Twelve (Violence Against Maritime Navigation Resulting in Death)

YES _____

NO ✓

Count Thirteen (Violence Against Maritime Navigation Resulting in Death)

YES _____

NO ✓

Count Fourteen (Violence Against Maritime Navigation Resulting in Death)

YES _____

NO ✓

Count Fifteen (Violence Against Maritime Navigation Resulting in Death)

YES _____

NO ✓

Count Sixteen (Murder Within the Special Maritime and Territorial Jurisdiction of the United States)

YES _____

NO ✓

Count Seventeen (Murder Within the Special Maritime and Territorial Jurisdiction of the United States)

YES _____

NO ✓

Count Eighteen (Murder Within the Special Maritime and Territorial Jurisdiction of the United States)

YES _____

NO ✓

Count Nineteen (Murder Within the Special Maritime and Territorial Jurisdiction of the United States)

YES _____

NO ✓

Count Twenty-Two (Use, Carry, Brandish and Discharge of a Firearm During a Crime of Violence Causing Death)

YES _____

NO ✓

Count Twenty-Three (Use, Carry, Brandish and Discharge of a Firearm During a Crime of Violence Causing Death)

YES _____

NO ✓

Count Twenty-Four (Use, Carry, Brandish and Discharge of a Firearm During a Crime of Violence Causing Death)

YES _____

NO ✓

Count Twenty-Five (Use, Carry, Brandish and Discharge of a Firearm During a Crime of Violence Causing Death)

YES _____

NO ✓

FACTOR (3): The defendant, SHANI NURANI SHIEKH ABRAR, intentionally killed or attempted to kill more than one person in a single criminal episode.

Count One (Conspiracy to Commit Hostage Taking Resulting in Death)

YES _____

NO ✓

Count Two (Hostage Taking Resulting in Death)

YES _____

NO ✓

Count Three (Hostage Taking Resulting in Death)

YES _____

NO ✓

Count Four (Hostage Taking Resulting in Death)

YES _____

NO ✓

Count Five (Hostage Taking Resulting in Death)

YES _____

NO ✓

Count Seven (Kidnapping Resulting in Death)

YES _____

NO ✓

Count Eight (Kidnapping Resulting in Death)

YES _____

NO ✓

Count Nine (Kidnapping Resulting in Death)

YES _____

NO ✓

Count Ten (Kidnapping Resulting in Death)

YES _____

NO ✓

Count Eleven (Conspiracy to Commit Violence Against Maritime Navigation Resulting in Death)

YES _____

NO ✓

Count Twelve (Violence Against Maritime Navigation Resulting in Death)

YES _____

NO ✓

Count Thirteen (Violence Against Maritime Navigation Resulting in Death)

YES _____

NO ✓

Count Fourteen (Violence Against Maritime Navigation Resulting in Death)

YES _____

NO ✓

Count Fifteen (Violence Against Maritime Navigation Resulting in Death)

YES _____

NO ✓

Count Sixteen (Murder Within the Special Maritime and Territorial Jurisdiction of the United States)

YES _____

NO ✓

Count Seventeen (Murder Within the Special Maritime and Territorial Jurisdiction of the United States)

YES _____

NO ✓

Count Eighteen (Murder Within the Special Maritime and Territorial Jurisdiction of the United States)

YES _____

NO ✓

Count Nineteen (Murder Within the Special Maritime and Territorial Jurisdiction of the United States)

YES _____

NO ✓

Count Twenty-Two (Use, Carry, Brandish and Discharge of a Firearm During a Crime of Violence Causing Death)

YES _____

NO ✓

Count Twenty-Three (Use, Carry, Brandish and Discharge of a Firearm During a Crime of Violence Causing Death)

YES _____

NO ✓

Count Twenty-Four (Use, Carry, Brandish and Discharge of a Firearm During a Crime of Violence Causing Death)

YES _____

NO ✓

Count Twenty-Five (Use, Carry, Brandish and Discharge of a Firearm During a Crime of Violence Causing Death)

YES _____

NO ✓

Instructions: Once you have completed the deliberations associated with Section III, please complete Section IV and advise the Court that you have reached a decision.

IV. CERTIFICATION

By signing below, each juror certifies that consideration of the race, color, religious beliefs, national origin, or sex of the defendant, SHANI NURANI SHIEKH ABRAR, or the victims was not involved in reaching his or her individual decision, and that the individual juror would have made the same decisions with regard to the age of defendant SHANI NURANI SHIEKH ABRAR, the threshold intent factors and the statutory aggravating factors no matter what the race, color, religious beliefs, national origin, or sex of the defendant, or the victims, would have been.

All jurors and foreperson sign below:

FOREPERSON

Date: July 17, 2013.

Pursuant to the E-Government Act,
the original of this page has been filed
under seal in the Clerk's Office.