

**IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT  
IN AND FOR WALTON COUNTY, FLORIDA**

**STATE OF FLORIDA,**  
Plaintiff,

v.

**SIPHO JUMAANE BENNETT,**  
Defendant.

**CLERK NO.:** 6623CF000524A  
**DIVISION:** FEL

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**3.1 INTRODUCTION TO FINAL INSTRUCTIONS**

Members of the jury, I thank you for your attention during this trial. Please pay attention to the instructions I am about to give you.

UNOFFICIAL  
DOCUMENT

### **3.2 STATEMENT OF CHARGE**

SIPHO JUMAANE BENNETT, the defendant in this case, has been accused of the crimes of:

- Count 1: Second Degree Murder
- Count 2: Aggravated Battery with a Deadly Weapon and Great Bodily Harm
- Count 3: Shooting At, Into or Within an Occupied Vehicle.

### **7.1 INTRODUCTION TO HOMICIDE**

Sipho Jumaane Bennett is accused of Second Degree Murder in Count One.

Second Degree Murder includes the lesser crime of Manslaughter, both of which are unlawful. However, a killing that was excusable homicide or that was committed by the justifiable use of deadly force is lawful.

If you find David Andrew Brimmer was killed by Sipho Jumaane Bennett, you will then consider the circumstances surrounding the killing in deciding if the killing was Second Degree Murder or Manslaughter, or whether the killing was excusable homicide or resulted from the justifiable use of deadly force.

#### **JUSTIFIABLE HOMICIDE**

The use of deadly force to kill a human being is justifiable homicide, and therefore lawful, if necessarily done while resisting an attempt to murder or commit a felony upon the defendant. "Deadly force" means force likely to cause death or great bodily harm. "Great bodily harm" means harm that is more than slight, trivial, minor, or moderate.

#### **EXCUSABLE HOMICIDE**

The killing of a human being is excusable homicide, and therefore lawful, under any one of the following three circumstances:

1. When the killing is committed by accident and misfortune in doing any lawful act by lawful means with usual ordinary caution and without any unlawful intent, or
2. When the killing occurs by accident and misfortune in the heat of passion, upon any sudden and sufficient provocation, or.
3. When the killing is committed by accident and misfortune resulting from a sudden combat, if a dangerous weapon is not used and the killing is not done in a cruel or unusual manner.

A “dangerous weapon” is any object that will likely cause death or great bodily harm if used in the ordinary and usual manner contemplated by its design and construction.

**COUNT 1:  
7.4 MURDER — SECOND DEGREE**

To prove the crime of Second Degree Murder, the State must prove the following three elements beyond a reasonable doubt:

1. David Andrew Brimmer is dead.
2. The death was caused by the criminal act of Sipho Jumaane Bennett.
3. There was an unlawful killing of David Andrew Brimmer by an act imminently dangerous to another and demonstrating a depraved mind without regard for human life.

An “act” includes a series of related actions arising from and performed pursuant to a single design or purpose.

An act is “imminently dangerous to another and demonstrating a depraved mind” if it is an act or series of acts that:

1. a person of ordinary judgment would know is reasonably certain to kill or do serious bodily injury to another, and
2. is done from ill will, hatred, spite, or an evil intent, and
3. is of such a nature that the act itself indicates an indifference to human life.

To convict of Second Degree Murder, it is not necessary for the State to prove the defendant had an intent to cause death.

An issue in this case is whether Sipho Jumaane Bennett did not have a depraved mind without regard for human life because he acted in the heat of passion based on adequate provocation. To find that the defendant did not have a depraved mind without regard for human life because he acted in the heat of passion based on adequate provocation:

- a. there must have been a sudden event that would have suspended the exercise of judgment in an ordinary reasonable person; and
- b. a reasonable person would have lost normal self-control and would have been driven by a blind and unreasoning fury; and
- c. there was not a reasonable amount of time for a reasonable person to cool off; and
- d. a reasonable person would not have cooled off before committing the act that caused death; and
- e. Sipho Jumaane Bennett was, in fact, so provoked and did not cool off before he committed the act that caused the death of David Andrew Brimmer.

If you have a reasonable doubt about whether the defendant had a depraved mind without regard for human life because he acted in the heat of passion based on adequate provocation, you should not find him guilty of Second Degree Murder.

### **3.3(d) POSSESSION OF A FIREARM AND DISCHARGE CAUSING DEATH**

If you find that SIPHO JUMAANE BENNETT committed Second Degree Murder, and you also find beyond a reasonable doubt that during the commission of the crime, he discharged a firearm, and in doing so, caused the death of DAVID ANDREW BRIMMER you should find the defendant guilty of Second Degree Murder, with discharge of a firearm causing death.

If you find that SIPHO JUMAANE BENNETT committed Second Degree Murder, and you also find beyond a reasonable doubt that during the commission of the crime, he discharged a firearm, you should find the defendant guilty of Second Degree Murder, with discharge of a firearm.

If you find that SIPHO JUMAANE BENNETT guilty of Second Degree Murder and you also find that during the commission of the crime, he actually possessed a firearm, you should find the defendant guilty of Second Degree Murder, with actual possession of a firearm.

A “firearm” is legally defined as any weapon, which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive.

To “actually possess” a firearm means that the defendant carried a firearm on his person.

### **3.4 LESSER INCLUDED CRIMES**

If the evidence does not convince you that the defendant committed the main crimes of which he is accused, there may be sufficient evidence that he committed a lesser included crime. In other words, if you decide the main accusation has not been proved beyond a reasonable doubt, you will need to decide if the State proved beyond a reasonable doubt that the defendant is guilty of a lesser included crime. The lesser included crime of Second Degree Murder is Manslaughter:

### **7.7 MANSLAUGHTER**

To prove the crime of Manslaughter, the State must prove the following two elements beyond a reasonable doubt:

1. David Andrew Brimmer is dead.
2. SIPHO JUMAANE BENNETT intentionally committed an act or acts that caused the death of David Andrew Brimmer.

To convict of Manslaughter, it is not necessary for the State to prove that the defendant had an intent to cause death, only an intent to commit an act that was not merely negligent, justified, or excusable, and which caused death.

I have previously instructed you on Justifiable and Excusable Homicide on Page 2, and they apply here.

### **3.3(a) AGGRAVATION OF MANSLAUGHTER BY CARRYING, DISPLAYING, OR USING A FIREARM**

If you find that SIPHO JUMAANE BENNETT committed Manslaughter and you also find beyond a reasonable doubt that during the commission of the crime, he personally carried, displayed, or used a firearm, you should find him guilty of Manslaughter with a firearm.

A “firearm” is defined as any weapon which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive.

If you find that SIPHO JUMAANE BENNETT committed Manslaughter, but you are not convinced beyond a reasonable doubt that he personally carried, displayed, or used a firearm, then you should find him guilty only of Manslaughter.

### **COUNT 2: 8.4 AGGRAVATED BATTERY**

To prove the crime of Aggravated Battery, the State must prove the following two elements beyond a reasonable doubt. The first element is a definition of Battery.

1. Sipho Jumaane Bennett actually and intentionally touched or struck Kaden Johnson against his will or intentionally caused bodily harm to Kaden Johnson.
2. Sipho Jumaane Bennett, in committing the Battery, intentionally or knowingly caused great bodily harm to Kaden Johnson or used a deadly weapon.

A “deadly weapon” is any object that will likely cause death or great bodily harm if used or threatened to be used in the ordinary and usual manner contemplated by its design and construction.

“Great bodily harm” means great as distinguished from slight, trivial, minor, or moderate harm, and as such does not include mere bruises.

An intentional touching or striking includes situations where a defendant knows that a touch or strike is substantially certain to result from his or her act.

### **3.3(d) POSSESSION OF A FIREARM AND DISCHARGE CAUSING GREAT BODILY HARM**

If you find that SIPHO JUMAANE BENNETT committed Aggravated Battery, and you also find beyond a reasonable doubt that during the commission of the crime, he discharged a firearm, and in doing so, caused great bodily harm to Kaden Johnson, you should find the defendant guilty of Aggravated Battery, with discharge of a firearm causing great bodily harm.

If you find that SIPHO JUMAANE BENNETT committed Aggravated Battery, and you also find beyond a reasonable doubt that during the commission of the crime, he discharged a firearm, you should find the defendant guilty of Aggravated Battery, with discharge of a firearm.

If you find that SIPHO JUMAANE BENNETT guilty of Aggravated Battery and you also find that during the commission of the crime, he actually possessed a firearm, you should find the defendant guilty of Aggravated Battery, with actual possession of a firearm.

“Great bodily harm” means great as distinguished from slight, trivial, minor, or moderate harm, and as such does not include mere bruises.

A “firearm” is legally defined as any weapon, which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive.

To “actually possess” a firearm means that the defendant carried a firearm on his person.

### **3.4 LESSER INCLUDED CRIMES**

If the evidence does not convince you that the defendant committed the main crimes of which he is accused, there may be sufficient evidence that he committed a lesser included crimes. In other words, if you decide the main accusation has not been proved beyond a reasonable doubt, you will need to decide if the State proved beyond a reasonable doubt that the defendant is guilty of a lesser included crime. The lesser included crimes of Aggravated Battery with a Deadly Weapon are: Felony Battery and Battery.

## **8.5 FELONY BATTERY**

To prove the crime of Felony Battery, the State must prove the following two elements beyond a reasonable doubt:

1. SIPHO JUMAANE BENNETT actually and intentionally touched or struck Kaden Johnson against his will; and
2. SIPHO JUMAANE BENNETT caused Kaden Johnson great bodily harm, permanent disability, or permanent disfigurement.

“Great bodily harm” means great as distinguished from slight, trivial, minor, or moderate harm, and as such does not include mere bruises.

An intentional touching or striking includes situations where a defendant knows that a touch or strike is substantially certain to result from his or her act.

### **3.3(a) AGGRAVATION OF FELONY BATTERY BY CARRYING, DISPLAYING, OR USING A FIREARM**

If you find that SIPHO JUMAANE BENNETT committed Felony Battery and you also find beyond a reasonable doubt that during the commission of the crime, he personally carried, displayed, or used a firearm, you should find him guilty of Felony Battery with a firearm.

A “firearm” is defined as any weapon which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive.

If you find that SIPHO JUMAANE BENNETT committed Felony Battery, but you are not convinced beyond a reasonable doubt that he personally carried, displayed, or used a firearm, then you should find him guilty only of Felony Battery.

### **8.3 BATTERY**

To prove the crime of Battery, the State must prove the following element beyond a reasonable doubt:

1. SIPHO JUMAANE BENNETT actually and intentionally touched or struck Kaden Johnson against his will or SIPHO JUMAANE BENNETT intentionally caused bodily harm to Kaden Johnson.

### **COUNT 3:**

#### **10.13 SHOOTING AT, INTO OR WITHIN AN OCCUPIED VEHICLE**

To prove the crime of Shooting At, Into or Within an Occupied Vehicle, the State must prove the following three elements beyond a reasonable doubt:

1. Sipho Jumaane Bennett shot a firearm that would produce death or great bodily harm.
2. He did so at, into or within a vehicle of any kind that was being used or occupied by any person.
3. The defendant's act was done wantonly or maliciously.

"Wantonly" means consciously and intentionally, with reckless indifference to consequences and with the knowledge that damage is likely to be done to some person.

"Maliciously" means wrongfully, intentionally, without legal justification or excuse, and with the knowledge that injury or damage will or may be caused to another person or the property of another person.

A "firearm" means any weapon which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive.

"Great bodily harm" means great as distinguished from slight, trivial, minor, or moderate harm, and as such does not include mere bruises.

It is not necessary for the State to prove a defendant acted with malevolence toward a vehicle or structure itself if the State proved he acted with a wanton or malicious attitude directed toward an individual within or near the vehicle or structure.

### **3.6(f) JUSTIFIABLE USE OF DEADLY FORCE**

It is a defense to the crimes of Second Degree Murder, Manslaughter, Aggravated Battery, Felony Battery, Battery and Shooting At, Into or Within an Occupied Vehicle if the actions of SIPHO JUMAANE BENNETT constituted the justifiable use of deadly force.

“Deadly force” means force likely to cause death or great bodily harm. “Great bodily harm” means great as distinguished from slight, trivial, minor, or moderate harm.

SIPHO JUMAANE BENNETT does not have the burden of proving that he was justified in using deadly force. Instead, for you to find the defendant guilty, the State must prove beyond a reasonable doubt the defendant was not justified in using deadly force.

The law on the justifiable use of deadly force is as follows:

SIPHO JUMAANE BENNETT was justified in using deadly force if he reasonably believed that such force was necessary to prevent

a. imminent death or great bodily harm to himself

or

b. the imminent commission of aggravated assault or aggravated stalking.

SIPHO JUMAANE BENNETT had no duty to retreat before using deadly force.

The use of deadly force is justifiable if SIPHO JUMAANE BENNETT reasonably believed that the force was necessary to prevent imminent death or great bodily harm to himself while resisting any attempt to commit Aggravated Assault or Aggravated Stalking.

In deciding whether SIPHO JUMAANE BENNETT was justified in the use of deadly force, you must consider the circumstances at the time the force was used. The danger need not have been actual; however, to justify the use of deadly force, the appearance of imminent danger must have been so real that the defendant actually believed the use of deadly force was necessary. Moreover, to justify the use of deadly force, a reasonably cautious and prudent person under the same circumstances would have believed the use of deadly force was necessary.

If you find that SIPHO JUMAANE BENNETT, who because of prior threats or difficulties with David Andrew Brimmer and Kaden Johnson, had reasonable grounds to believe that he was in danger of death or great bodily harm at the hands of David Andrew Brimmer and Kaden Johnson, you may consider this fact in determining whether the actions of SIPHO JUMAANE BENNETT were those of a reasonable person.

In considering the issue of self-defense, you may take into account the relative physical abilities and capacities of SIPHO JUMAANE BENNETT, David Andrew Brimmer and Kaden Johnson.

I will now define the elements for Aggravated Assault and Aggravated Stalking.

## **8.2 AGGRAVATED ASSAULT**

1. David Andrew Brimmer or Kaden Johnson intentionally and unlawfully threatened, either by word or act, to do violence to SIPHO JUMAANE BENNETT.
2. At the time, David Andrew Brimmer or Kaden Johnson appeared to have the ability to carry out the threat.
3. The act of David Andrew Brimmer or Kaden Johnson created in the mind of SIPHO JUMAANE BENNETT a well-founded fear that the violence was about to take place.
4.
  - a. The assault was made with a deadly weapon.
  - b. The assault was made with a fully-formed, conscious intent to commit Aggravated Stalking upon SIPHO JUMAANE BENNETT.

If the circumstances were such as to ordinarily induce a well-founded fear in the mind of a reasonable person, then SIPHO JUMAANE BENNETT may be found to have been in fear, and actual fear on the part of SIPHO JUMAANE BENNETT need not be shown.

A “deadly weapon” is any object that will likely cause death or great bodily harm if used or threatened to be used in the ordinary and usual manner contemplated by its design and construction.

An object not designed to inflict bodily harm may nonetheless be a “deadly weapon” if it was used or threatened to be used in a manner likely to cause death or great bodily harm.

“Great bodily harm” means great as distinguished from slight, trivial, minor, or moderate harm, and as such does not include mere bruises.

It is not necessary for the State to prove that DAVID ANDREW BRIMMER and KADEN JOHNSON had an intent to kill.

### **8.7(a) AGGRAVATED STALKING**

1. David Andrew Brimmer or Kaden Johnson willfully, maliciously, and repeatedly followed and harassed SIPHO JUMAANE BENNETT; and
2. David Andrew Brimmer or Kaden Johnson made a credible threat to SIPHO JUMAANE BENNETT.

“Willfully” means knowingly, intentionally, and purposely.

“Maliciously” means wrongfully, intentionally, and without lawful justification or excuse.

“Harass” means to engage in a course of conduct directed at SIPHO JUMAANE BENNETT that:

1. served no legitimate purpose;
2. would cause substantial emotional distress to a reasonable person; and
3. did cause substantial emotional distress to SIPHO JUMAANE BENNETT.

“Course of conduct” means a pattern of conduct composed of a series of acts over a period of time, however short, which evidences a continuity of purpose.

“Credible threat” means a verbal or nonverbal threat, or a combination of the two, including threats delivered by electronic communication or implied by a pattern of conduct, which places the person who is the target of the threat in reasonable fear for his or her safety or the safety of his or her family members or individuals closely associated with the person, and which is made with the apparent ability to carry out the threat to cause such harm.

It is not necessary to prove that the person making the threat had the actual intent to carry out the threat; however, it is required that David Andrew Brimmer or Kaden Johnson were aware that a reasonable person who heard or saw the threat could regard it as a serious expression of an intent to commit an act of violence.

### **3.7 PLEA OF NOT GUILTY; REASONABLE DOUBT; AND BURDEN OF PROOF**

The defendant has entered a plea of not guilty. This means you must presume or believe the defendant is innocent. The presumption stays with the defendant as to each material allegation in the information through each stage of the trial unless it has been overcome by the evidence to the exclusion of and beyond a reasonable doubt.

To overcome the defendant's presumption of innocence, the State has the burden of proving the crime with which the defendant is charged was committed and the defendant is the person who committed the crime.

The defendant is not required to present evidence or prove anything.

Whenever the words "reasonable doubt" are used, you must consider the following:

Proof beyond a reasonable doubt does not mean proof beyond all doubt. A reasonable doubt is not a mere possible doubt, a speculative, imaginary, or forced doubt. Such a doubt must not influence you to return a verdict of not guilty if you have an abiding conviction of guilt. On the other hand, if, after carefully considering, comparing, and weighing all the evidence, there is not an abiding conviction of guilt, or, if, having a conviction, it is one which is not stable but one which wavers and vacillates, then the charge is not proved beyond every reasonable doubt, and you must find the defendant not guilty because the doubt is reasonable.

It is to the evidence introduced in this trial, and to it alone, that you are to look for that proof.

A reasonable doubt as to the guilt of the defendant may arise from the evidence, conflict in the evidence, or the lack of evidence.

If you have a reasonable doubt, you should find the defendant not guilty. If you have no reasonable doubt, you should find the defendant guilty.

### **3.9 WEIGHING THE EVIDENCE**

It is up to you to decide what evidence is reliable. You should use your common sense in deciding which is the best evidence and which evidence should not be relied upon in considering your verdict. You may find some of the evidence not reliable, or less reliable than other evidence.

You should consider how the witnesses acted, as well as what they said. Some things you should consider are:

1. Did the witness seem to have an opportunity to see and know the things about which the witness testified?
2. Did the witness seem to have an accurate memory?
3. Was the witness honest and straightforward in answering the attorneys' questions?
4. Did the witness have some interest in how the case should be decided?
5. Does the witness's testimony agree with the other testimony and other evidence in the case?
6. Did the witness at some other time make a statement that is inconsistent with the testimony he or she gave in court?

Whether the State has met its burden of proof does not depend upon the number of witnesses it has called or upon the number of exhibits it has offered, but instead upon the nature and quality of the evidence presented.

The fact that a witness is employed in law enforcement does not mean that his or her testimony deserves more or less consideration than that of any other witness.

Expert witnesses are like other witnesses, with one exception—the law permits an expert witness to give his or her opinion. However, an expert's opinion is reliable only when given on a subject about which you believe him or her to be an expert. Like other witnesses, you may believe or disbelieve all or any part of an expert's testimony.

It is entirely proper for a lawyer to talk to a witness about what testimony the witness would give if called to the courtroom. The witness should not be discredited by talking to a lawyer about his or her testimony.

You may rely upon your own conclusion about the credibility of any witness. A juror may believe or disbelieve all or any part of the evidence or the testimony of any witness.

### **3.9(a) DEFENDANT NOT TESTIFYING**

The constitution requires the State to prove its accusations against the defendant. It is not necessary for the defendant to disprove anything. Nor is the defendant required to prove his innocence. It is up to the State to prove the defendant's guilt by evidence.

The defendant exercised a fundamental right by choosing not to be a witness in this case. You must not view this as an admission of guilt or be influenced in any way by his decision. No juror should ever be concerned that the defendant did or did not take the witness stand to give testimony in the case.

### **3.9(b) DEFENDANT'S STATEMENTS**

A statement claimed to have been made by the defendant outside of court has been introduced into evidence. Such a statement should always be considered with caution and be weighed with great care to make certain it was freely and voluntarily made.

If you conclude the defendant made the statement, you must also determine from the evidence whether the defendant's statement was freely and voluntarily made.

In making this determination, you should consider the circumstances, including but not limited to

1. whether, when the defendant made the statement, he had been threatened to get him to make the statement,  
and
2. whether anyone had promised him anything to get him to make the statement.

If you conclude the defendant made the out of court statement, but it was not freely and voluntarily made, you should disregard it.

### **3.10 RULES FOR DELIBERATION**

These are some general rules that apply to your discussion. You must follow these rules in order to return a lawful verdict:

1. You must follow the law as it is set out in these instructions. If you fail to follow the law, your verdict will be a miscarriage of justice. There is no reason for failing to follow the law in this case. All of us are depending upon you to make a wise and legal decision in this matter.
2. This case must be decided only upon the evidence that you have heard from the testimony of the witnesses and have seen in the form of the exhibits in evidence and these instructions.
3. This case must not be decided for or against anyone because you feel sorry for anyone, or are angry at anyone.
4. Remember, the lawyers are not on trial. Your feelings about them should not influence your decision in this case.
5. Your duty is to determine if the defendant has been proven guilty or not, in accord with the law. It is the judge's job to determine a proper sentence if the defendant is found guilty.
6. Whatever verdict you render must be unanimous, that is, each juror must agree to the same verdict.
7. Your verdict should not be influenced by feelings of prejudice, bias, or sympathy. Your verdict must be based on the evidence, and on the law contained in these instructions.

### **3.11 CAUTIONARY INSTRUCTION**

Deciding a verdict is exclusively your job. I cannot participate in that decision in any way. Please disregard anything I may have said or done that made you think I preferred one verdict over another.

### **3.12 VERDICT**

You may find the defendant guilty as charged or guilty of such lesser included crimes as the evidence may justify or not guilty.

If you return a verdict of guilty, it should be for the highest offense on the verdict form for each count that has been proven beyond a reasonable doubt. If you find that no offense has been proven beyond a reasonable doubt, then, of course, your verdict must be not guilty.

The verdict must be unanimous, that is, all of you must agree to the same verdict. Only one verdict may be returned as to each crime charged. The verdict must be in writing and for your convenience, the necessary verdict form has been prepared for you. It is as follows (read verdict form):

#### **3.12(a) SINGLE DEFENDANT, MULTIPLE COUNTS OR INFORMATIONS**

A separate crime is charged in each count of the information and, although they have been tried together, each crime and the evidence applicable to it must be considered separately and a separate verdict returned as to each. A finding of guilty or not guilty as to one crime must not affect your verdict as to the other crimes charged.

### **3.13 SUBMITTING CASE TO JURY**

In just a few moments, you will be taken to the jury room by the court deputy. The first thing you should do is choose a foreperson who will preside over your deliberations. The foreperson should see to it that your discussions are carried on in an organized way and that everyone has a fair chance to be heard. It is also the foreperson's job to sign and date the verdict form when all of you have agreed on a verdict and to bring the verdict form back to the courtroom when you return.

During deliberations, jurors must communicate about the case only with one another and only when all jurors are present in the jury room. If a juror goes to the restroom, the deliberations should stop until the juror returns. You are not to communicate with any person outside the jury about this case. Until you have reached a verdict, you must not talk about this case in person or through the telephone, writing, or electronic communication, such as e-mail or any other means. Do not contact anyone to assist you during deliberations. These communications rules apply until I discharge you at the end of the case. If you become aware of any violation of these instructions or any other instruction I have given in this case, you must tell me by giving a note to the court deputy.

Many of you may have cell phones, tablets, laptops, or other electronic devices here in the courtroom. The rules do not allow you to bring your phones or any of those types of electronic devices into the jury room. Kindly leave those devices on your seats where they will be guarded by the court deputy while you deliberate.

If you need to communicate with me, send a note through the court deputy. If you have voted, do not disclose the actual vote in the note.

If you have a question, I will talk with the attorneys before I answer, so it may take some time. You may continue your deliberations while you wait for my answer. I will answer any questions, if I can, in writing or orally here in open court.

During the trial, items were received into evidence as exhibits. You may examine whatever exhibits you think will help you in your deliberations.

These exhibits will be sent into the jury room with you when you begin to deliberate.

In closing, let me remind you that it is important that you follow the law spelled out in these instructions in deciding your verdict. There are no other laws that apply to this case. Even if you do not like the laws that must be applied, you must use them. For more than two centuries, we have lived by the Constitution and the law. No juror has the right to violate rules we all share.