

REPRIMAND OF COUNSEL

During the course of this trial, I have had occasion to admonish or reprimand an attorney. You are to draw no inference against him (her) or his (her) client because of that. It is the duty of the attorneys to offer evidence, to object, and to argue to you on behalf of their side. It is *my* function to exclude evidence or argument that is inadmissible under our rules, and to admonish attorneys when I feel that is necessary for an orderly trial. But you should draw no inference from that. It is irrelevant whether you like a lawyer or whether you believe I do or don't like a lawyer. The issue is not which attorney is more likeable; the issue is whether the Commonwealth has proved the defendant's guilt beyond a reasonable doubt.

In fact, in this case, I would like to express my thanks to each of the attorneys for their conscientious efforts on behalf of their clients and for the assistance that they have given me during this trial.

Your verdict must be based solely on the facts as you find them from the evidence, and on the law as I explain it to you. Nothing else that may have happened in this courtroom is relevant to the truth of your verdict.

The model instruction is adapted from L.B. Sand, J.S. Siffert, W.P. Loughlin & S.A. Reiss, *Modern Federal Jury Instructions* § 2-9 (1985).