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MORRISON, ILLINOIS CHIROPRACTOR HELD IN CONTEMPT FOR FAILING TO APPEAR FOR JURY DUTY AND SENTENCED TO \$ 5,000 FINE AND 30 DAYS HOME CONFINEMENT

ROCKFORD—PATRICK J. FITZGERALD, United States Attorney for the Northern District of Illinois, today made the following announcement:

GERALD LEE MANCE, 60, a chiropractor in Morrison, Illinois, was found in contempt of federal court today for having failed to appear for jury duty and was sentenced to 90 days probation, 30 days on home confinement, to serve 100 hours of community service, and to pay a \$5,000 fine.

Mance was summoned to appear for jury duty in a criminal prosecution on November 30, 2009, in federal court in Rockford, Illinois. At the end of the first day of the trial, jury selection had not been completed and the remaining members of the jury venire, including Mance, were ordered to return to the court the following day. When Mance did not appear on December 1, 2009, United States District Judge Frederick J. Kapala issued an order requesting that the United States Attorney file a motion for a rule to show cause why Mance should not be held in contempt for failing to appear for jury service. On December 2, 2009, the government filed such a motion.

On December 21, 2009, Mance appeared in court, admitted to the allegations in the government's motion, and entered into a stipulation of facts. In those stipulated facts, Mance admitted that after the first day of jury duty, he had stopped at the residence of a friend, who was a law enforcement officer, and had secretly stolen a blank Illinois traffic accident report form from the officer's home. The following day, December 1, 2009, Mance called the district court clerk's office and falsely stated that he had been involved in a traffic accident with a deer and was unable to come to Rockford for jury duty. According to the stipulation, Mance offered to fax a copy of the accident report to the clerk. Mance then proceeded to his office. That afternoon, when a Deputy United States Marshal went to Mance's office and asked where the deer accident had taken place, Mance falsely stated that it had taken place in Morrison. The following morning, Mance faxed to the clerk's office an accident report reflecting that he had hit a deer. As Mance acknowledged in the stipulation, he had not had an accident and the accident report was false.

At sentencing, Judge Kapala described the “brazenness of [Mance’s criminal conduct in avoiding jury duty as] almost unfathomable.” Judge Kapala commented that jury duty, while never convenient, is important to our criminal justice system. The court noted that another prospective juror on the same jury panel had a child with a serious medical condition, but was willing to reschedule treatment in order to serve on the jury. Judge Kapala stated, “I think your conduct was profane when compared to the sacrifice that she made.”

The investigation into the matter was conducted by the United States Marshal’s Service, and the contempt proceedings were prosecuted in federal court by Assistant United States Attorney John G. McKenzie.

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