

IN THE SUPERIOR COURT OF THE STATE OF JUST US

STATE OF JUST US,	)	
	)	NO.
Plaintiff,	)	
vs.	)	MOTION IN
	)	LIMINE FOR TRIAL
PHINEAS (NO) EVIL DOER,	)	
	)	
Defendant.	)	
_____	)	

**INTRODUCTION**

COMES NOW, SEATTLE ATTORNEY **GARY L. WOLFSTONE**, COUNSEL FOR THE DEFENDANT, and MOVES THE COURT TO ORER AS FOLLOWS ON BEHALF OF **PHINEAS (NO) EVIL DOER** who is charged with **[OFFENSE]** alleged to have occurred on **[DATE]** at **[DOWNTOWN SEATTLE]**

**ESTIMATED LENGTH OF TRIAL**

10 Days

**DEFENSE WITNESSES**

**Mom Evil Doer**  
**Dad Evil Doer**  
**Sonny Evil Doer**  
**Bishop Godfellow**  
**Bank President Doe**  
**Mary Jane Goodlover**  
**Dr. Thaddeus Feelbetter, M.D.**

## **MOTION(S) IN LIMINE**

### **1. MOTION TO EXCLUDE STATEMENTS OF THE DEFENDANT PURSUANT TO CrR 3.5**

Discovery provided to date does not indicate that the defendant made any statements to law enforcement. If the State intends to offer any statements by the defendant, the Defense requests a 3.5 hearing.

### **2. MOTION TO SUPPRESS PHYSICAL EVIDENCE PURSUANT TO CrR 3.6**

Unrelated Check Registers  
Unrelated Cancelled Checks  
Unrelated Contracts with Non Parties

### **3. MOTION TO EXCLUDE WITNESSES AND TO INSTRUCT WITNESSES TO REFRAIN FROM DISCUSSING ANY TESTIMONY DIRECTLY OR INDIRECTLY PURSUANT TO ER 615.**

The Defense moves the Court for an order excluding all witnesses from the courtroom during opening statements and during testimonial phases of the trial when those witnesses are not themselves testifying. If the State intends to have a law enforcement officer sit with the prosecutor during trial, the Defense requests that the officer testify first or be excluded during the testimony of all other witnesses. In addition, the Defense requests that the witnesses be instructed to refrain from discussing their testimony among themselves at any point during the course of this trial, either directly or indirectly through the prosecutor or anyone else. ER 615.

### **4. MOTION TO EXCLUDE EVIDENCE OF PRIOR BAD ACTS PURSUANT TO ER401, 402, AND 404(b)**

The State has not given notice of any prior bad acts it may seek to admit as

evidence. The Defense requests the Court to instruct the State to disclose any intent to offer evidence of prior bad acts and to hold a hearing on any such intent.

**5. MOTION TO EXCLUDE EVIDENCE OF PRIOR CONVICTION(S)  
PURSUANT TO CrR 609**

The State has/has not notified the Defense of its intent to offer evidence of prior conviction(s) of the defendant and the Defense accordingly requests that any such evidence be excluded.

**6. MOTION TO PRECLUDE ANY REFERENCE TO THE COMPLAINING  
WITNESS AS THE “VICTIM”**

Whether or not [AGGRIEVED PERSON] is, in fact, the victim of the crime(s) charged is a factual determination for the jury. The term “victim” is argumentative and conclusory. The Defense requests that the Court prohibit the State and witnesses from referring to as the “victim” and use only this individual’s name.

**7. MOTION TO PROHIBIT ANY WITNESS FROM REFERRING TO THE  
DEFENDANT AS A MEMBER OF ORGANIZED CRIME OR A GANG.**

**8. MOTION TO PRECLUDE THE STATE FROM INFORMING THE JURY THAT THE  
CASE IS DESIGNATED “DOMESTIC VIOLENCE.”**

**9. MOTION TO INSTRUCT WITNESSES REGARDING THE COURT’S  
RULINGS ON THE ABOVE MOTIONS AND EXCLUDED TESTIMONY**

The Defense moves the Court to require the State to apprise its witnesses of all of the Court’s rulings affecting their testimony during this proceeding and to admonish its witnesses that they must comply with such rulings.

**10. MOTION TO CROSS-ENDORSE STATE’S WITNESSES**

The Defense cross-endorses all State’s witnesses and moves the Court to order that the State’s witnesses released by the State be available and subject to recall by the Defense.

## **CONCLUSION**

This Motion in Limine is intended to address legal issues which may arise during trial. Failure to mention issues in this memorandum does not waive them. The Defense reserves the right to make additional motions when necessary and to argue afore-mentioned or after-mentioned issues more extensively during trial.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

Respectfully submitted,

GARY L. WOLFSTONE  
Attorney for Defendant

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**Memo to Client:**  
**Your trial experience will be fascinating,  
intense, and endlessly unpredictable.**

**Now ... Let's Climb this Mountain together!**  
*Law Offices of Gary L. Wolfstone*

