

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA

VS.

TROY R. SOLOMON

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CR. NO. 4:08-CR-00026

DEFENDANT SOLOMON'S MOTION IN LIMINE

Troy Solomon, Defendant, files this Motion in Limine and shows the following:

A. EXTRANEIOUS OFFENSES

1. Defendant requests that the Court enter an order instructing the Government, its agents, its employees and its witnesses not to mention, allude to or refer to, in any manner, any extraneous offense in the presence of the jury.

2. Prior to specific mention of extraneous offenses, a hearing should be immediately held outside the presence of the jury for determination of:

a. the purpose for which the extraneous offense or alleged misconduct is offered;

b. in what manner the extraneous offense or bad conduct is relevant in establishing the point for which it is offered;

c. whether it can be shown beyond a reasonable doubt by evidence that the Defendant committed the alleged conduct;

d. whether the conduct in question is too remote;

e. whether the conduct is offered to prove a disputed issue or clarify an ambiguous act of the Defendant;

f. whether the probative value of the evidence is outweighed by danger of unfair prejudice and confusion of the issue;

g. whether the point for which the conduct is offered can be established in some other fashion without the emotional prejudice inherent in the admission of other offenses.

B. DEFENDANT'S STATEMENTS

Defendant requests that the Court enter an Order instructing the Government, its agents, its employees and its witnesses not to mention, allude to or refer to, in any manner, any statements (written or oral) of the Defendant without first conducting a hearing (outside the presence of the jury) as to the admissibility of such statements.

WHEREFORE, PREMISES CONSIDERED, Defendant requests that the Court grant this motion and order the Government not to mention, allude to or elicit any testimony regarding the above-referenced matters in any manner in the presence of the jury until a hearing has been held outside the presence of the jury and prior to the Court's determination of admissibility.

Respectfully submitted,

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CERTIFICATE OF SERVICE

This is to certify that on June 19, 2010, a true and correct copy of the foregoing document was emailed to Mr. Rhodes.

Chip B. Lewis