

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

v.

Case No. 22-cr-15-APM

ELMER STEWART RHODES III,
KELLY MEGGS,
KENNETH HARRELSON,
JESSICA WATKINS,
ROBERTO MINUTA,
JOSEPH HACKETT,
DAVID MOERSCHEL,
THOMAS CALDWELL, and
EDWARD VALLEJO,

Defendants.

**GOVERNMENT'S MOTION *IN LIMINE* TO PRECLUDE CERTAIN UNTIMELY
AND IRRELEVANT TESTIMONY**

The United States of America, by and through its attorney, the United States Attorney for the District of Columbia, hereby requests that the Court preclude the following evidence during trial: (1) the actions or inaction of law enforcement officers at the Capitol on January 6, 2021; (2) the actions of rioters at other, unrelated events, and the status, disposition, and pendency of cases or charges involving those other rioters, and (3) purported diminished mental or physical capacity of any defendants. As set forth below, the above-referenced categories of evidence would confuse the issues, mislead the jury, cause undue delay, or waste time and therefore should be precluded pursuant to Federal Rule of Evidence 403.

BACKGROUND

On January 6, 2021, a Joint Session of the United States House of Representatives and the United States Senate convened to certify the vote of the Electoral College of the 2020 U.S.

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Michigan Administrative Code Michigan,1971-04 California Guide to Criminal Evidence 2024-25 (8th edition)

Judge Elia V. Pirozzi (Ret.),2025-02-01 This treatise is used by attorneys and judges throughout California as a comprehensive resource on evidentiary and constitutional issues It is unique in its approach with numerous checklists courtroom scripts and easy reference charts The California Guide to Criminal Evidence currently in its 8th edition is the one publication in California that provides a systematic approach for practitioners and judicial officers to efficiently address evidentiary and constitutional issues during a trial or motion hearing Complete with federal and state case and statutory law legal commentary and comprehensive easy to access flowcharts and tables the California Guide to Criminal Evidence is the primary resource a litigator will need to accurately resolve complex evidentiary or constitutional questions and effectively introduce an item for admission into evidence and get it admitted by the court It is also functional and compact in that it was created to be brought to court along with counsel s trial binder and materials to be used when quick answers are required concerning evidentiary matters The California Guide to Criminal Evidence was designed as a practice guide to assist attorneys navigate through the maze of legal issues that surface during a proceeding with ease speed and precision Although organized with a criminal law emphasis the California Guide to Criminal Law Evidence has been widely used by both civil and criminal law practitioners judges and law professors Unlike other evidence treatises on the market the California Guide to Criminal Evidence was written for new and experienced litigators complete with in depth legal analysis and commentary practice charts and tables sample scripts and scholarly and practical insight from an experienced criminal and civil trial judge It highlights what judges look for and expect from counsel when seeking to introduce specific items of evidence for admission and how to respond to a judge s questions swiftly concisely and with applicable legal reasoning While other books on the market cover evidence and constitutional issues separately the California Guide to Criminal Evidence does both for one affordable price far below the cost of other texts offering less content And while competitor publications focus primarily on California state cases the California Guide to Criminal Evidence contains a comprehensive examination of the Federal Rules of Evidence and U S Supreme Court and Ninth Circuit Court of Appeals decisions And the California Guide to Criminal Evidence can be purchased in print version or eBook format There is simply no equal to this unique practice resource on the market today The California Guide to Criminal Evidence is organized in two distinct parts Part 1 is a comprehensive discussion and analysis of the Evidence Code the Fourth Fifth and Sixth Amendments to the U S Constitution and all relevant case and statutory law The discussion is organized to give the practitioner a practical and step by step methodology to assess the admissibility of evidence in a criminal trial or hearing This approach requires the practitioner to address the following questions whenever the admissibility of evidence is in issue Chapter 1 Relevance Is the evidence relevant Chapter 2 Foundation Can the necessary foundation be established for the evidence Chapter 3 Hearsay Does the evidence constitute

hearsay and if so does it fall within a recognized exception to the hearsay rule Chapter 4 Statutory Limits on Particular Evidence Is the evidence subject to exclusion or limitation under evidentiary rules related to character evidence impeachment or privilege Chapter 5 Exclusion of Evidence on Constitutional Grounds Is the evidence subject to exclusion under the Fourth Fifth or Sixth Amendment to the U S Constitution Chapter 6 Discretionary Exclusion Under Evid C 352 Can the evidence survive exclusion under Evidence Code 352 Chapter 7 Preliminary Fact Determinations Does the admissibility of a particular item of evidence depend on the existence or nonexistence of some other fact Chapter 8 Burdens Presumptions Are there any burdens of proof or presumptions applicable to a fact or issue in the case Part 2 provides an assortment of charts and tables to assist the practitioner in addressing the evidentiary issues discussed in Part 1 quickly and effectively in the courtroom These charts and tables cover topics such as evidentiary objections hearsay exceptions character evidence privileges and numerous issues under the U S Constitution REVIEWS and WORDS OF PRAISE What took us several hours of research in the law library this book succinctly and accurately summarized It s hard to imagine a criminal trial lawyer not having this useful guide in his trial briefcase James Campbell Esq Campbell DeMetrick PLC San Francisco Past President of the American Board of Criminal Lawyers Former Dean of the Nat l College of DUI Defense The book gives quick and reliable answers to all evidence questions demonstrating what is admissible what is not and the hows and whys of using the rules of evidence to win cases All busy lawyers will find it useful just about every day Edward Mallett Mallett Saper Berg LLP Past President of the Nat l Ass n of Criminal Defense Lawyers With this book I will no longer be panicking when the issue of admissibility as to a critical piece of evidence is suddenly being litigated mid trial Louis J Shapiro Law Offices of Louis J Shapiro Los Angeles Certified Specialist Criminal Law This book provides a systematic approach to determining evidence issues complete with insightful commentary flowcharts and tables to identify analyze and resolve evidence and constitutional questions during trial While serving as a Superior Court Judge it was always within arms reach and one of my most valuable resources Honorable Stanford Reichert ret California Superior Court Judge *The Practical Guide to Michigan Law* Fred S. Steingold,1983 A guide to the ins and outs of Michigan law **Michigan Compiled Laws Annotated** Michigan,1967

Michigan Probate Guide for the General Practitioner ,1966 **The Army Lawyer** ,1991 **Military Rules of Evidence Manual** Stephen A. Saltzburg, Lee D. Schinasi, David A. Schlueter, 1997 Military Rules of Evidence Manual Fourth Edition is the only publication of its kind available to both military civilian attorneys that analyzes what the Rules say mean to judges counsel in the military justice system It also serves as an authoritative case finder Since the Rules became effective in 1980 this book has been cited hundreds of times by the military courts This Fourth Edition provides notes to virtually every military case that has interpreted or applied the Rules Michigan Reports Michigan. Supreme Court, Randolph Manning, George C. Gibbs, Thomas McIntyre Cooley, Elijah W. Meddaugh, William Jennison, Hovey K. Clarke, Hoyt Post, Henry Allen Chaney, William Dudley Fuller, John Adams Brooks, Marquis B. Eaton, Herschel Bouton Lazell, James M. Reasoner, Richard

W. Cooper,1907 **Supplement to 1954 Michigan Administrative Code** Michigan,1971 Michigan Law Review ,1998
Prisoners' Self-Help Litigation Manual John Boston,Daniel E Manville,2010-08-30 Prisoners Self Help Litigation Manual in its much anticipated fourth edition is an indispensable guide for prisoners and prisoner advocates seeking to understand the rights guaranteed to prisoners by law and how to protect those rights Clear comprehensive practical advice provides prisoners with everything they need to know on conditions of confinement civil liberties in prison procedural due process the legal system how to litigate conducting effective legal research and writing legal documents Written by two legal and penitentiary experts with intimate knowledge of prisoner s rights and legal aid work authors John Boston and Daniel E Manville strategically focus on federal constitutional law providing prisoners and those wishing to assist them with the most important information concerning legal rights Over the past decade prison law and conditions have changed significantly This new edition is updated to include the most relevant prisoners rights topics and approaches to litigation Updates include all aspects of prison life as well as material on legal research legal writing types of legal remedies and how to effectively use those remedies Certainly the most authoritative well organized and relevant prisoner s rights manual available the eagerly awaited fourth edition should be purchased by everyone interested in civil rights for the incarcerated A Quick Reference Guide to Contemporary Criminal Procedure for Law Enforcement Officers Mark E. Bannon,2003 Annotation The goal of this book is to provide a quick reference guide for law enforcement officers in their quest to furnish professional police services to their communities Designed to be a handy source for the study of criminal procedures this guide has assembled numerous court cases that will assist officers in dealing with the issues they may often encounter *Cases Decided in the Supreme Court of Michigan ...* Michigan. Supreme Court,1907 **University of Michigan Official Publication** University of Michigan,1997 Each number is the catalogue of a specific school or college of the University *Legal Information Buyer's Guide and Reference Manual* Kendall F. Svengalis,Rhode Island LawPress,2008 The JAG Journal ,1964 *Michigan Christian Advocate* ,1893 **The Right to the Assistance of Counsel** James J. Tomkovicz,2002-09-30 Inaugurating Greenwood s Reference Guides to the United States Constitution series this superlative guide to the Sixth Amendment is the first to survey the legal guarantee of counsel s assistance since 1963 s Gideon ruling The vast majority of important even landmark cases regarding the right to counsel were decided after that pivotal ruling making this the definitive work on the topic Tomkovicz offers a concise yet substantial account of the historical development of the right to counsel in England and America Included are A brief history of the topic Lengthy and sophisticated analysis of the current state of the law A bibliographical essay organizing and evaluating scholarly material for further research A table of cases Index A thorough analysis of the relevant U S Supreme Court s doctrine gives concrete content to the right to assistance of defense counsel Scholars and students of the U S Constitution along with attorneys and lay readers will gain a rich understanding of the meaning and importance of the Sixth Amendment and a comprehensive overview of a cornerstone of America s constitutional

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