

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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The Practical Guide to Michigan Law Fred S. Steingold, 1983 A guide to the ins and outs of Michigan law 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
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and one of my most valuable resources Honorable Stanford Reichert ret California Superior Court Judge **Michigan**
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Schinasi, David A. Schlueter, 2003 **Michigan Administrative Code** Michigan, 1971-04 **Supplement to 1954**
Michigan Administrative Code Michigan, 1971 **Michigan Probate Guide for the General Practitioner** ,1966
The Army Lawyer ,1991 *Michigan Reports* Michigan. Supreme Court, 1907 *Michigan Law Review* ,1998 *Cases*
Decided in the Supreme Court of Michigan ... Michigan. Supreme Court, 1907 **University of Michigan Official**
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Prisoners' Self-Help Litigation Manual John Boston, Daniel E Manville, 2010-09-27 Prisoners Self Help Litigation
Manual in its much anticipated fourth edition is an indispensable guide for prisoners and prisoner advocates seeking to
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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

Legal Information Buyer's Guide and Reference Manual Kendall F. Svengalis,Rhode Island LawPress,2008 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 and legal order **National Labor**

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