

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.

# Michigan Exclude Arguments Statement And Evidence Manual

**A Gutmann**



## **Michigan Exclude Arguments Statement And Evidence Manual:**

**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 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     **Michigan Administrative Code** Michigan,1971-04     *Michigan Probate Guide for the General Practitioner* ,1966     *The Army Lawyer* ,1991     **Michigan Compiled Laws Annotated** Michigan,1967

*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**  
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