

IN THE CIRCUIT COURT OF CLAY COUNTY, ARKANSAS
WESTERN DISTRICT
CRIMINAL DIVISION

STATE OF ARKANSAS

VS

JESSIE LLOYD MISSELLEY, JR.

84 JAN 11 A10:22

PLAINTIFF

NO. CR-93-47

DEFENDANT

B. Pierce

MOTION IN LIMINE

Comes now the defendant, Jessie Lloyd Misskelley, by and through his attorneys, Stidham and Crow, and for his Motion in Limine states and alleges the following:

1. The defendant is charged with three (3) counts of Capital Murder, and a jury trial is set on these charges on January 18, 1994.

2. The state should be precluded from adducing any evidence of any nature about the defendant's prior Juvenile adjudications, or any of the facts surrounding same, as same bears no relationship to the present case, and any reference to same would be prohibited by the Arkansas Rules of Evidence, more specifically Rules 401, 402, 403, 404 and 609.

3. Any reference to, or implications about said juvenile adjudications should be disallowed, and no references should be made to any matters pertaining to said Juvenile adjudications, or the facts surrounding same.

4. The defendant affirmatively states that the prejudicial nature of testimony, or other evidence,

regarding said Juvenile adjudications, or the facts pertaining to same, vastly outweighs any possible probative value, and as such, said evidence is inadmissible.

5. The state should be precluded from adducing any evidence, or statements, of any nature which implicates a co-defendant, but does not implicate the defendant, or any of the facts surrounding same, as same bears no relationship to the present case, and any reference to same would be prohibited by the Arkansas Rules of Evidence, more specifically Rules 401, 402, and 403.

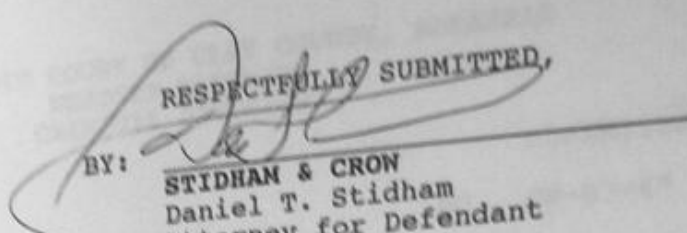
6. Any reference to, or implications about said evidence or statements which tend to implicate a co-defendant and not implicate the defendant should be disallowed, and no references should be made to any matters pertaining to said evidence or statements which tend to implicate a co-defendant and not implicate the defendant.

7. The defendant affirmatively states that the prejudicial nature of testimony, or other evidence, regarding said evidence or statements which tend to implicate a co-defendant and not implicate the defendant, or the facts pertaining to same, vastly outweighs any possible probative value, and as such, said evidence is inadmissible.

WHEREFORE, the defendant prays that his motion in limine be granted.

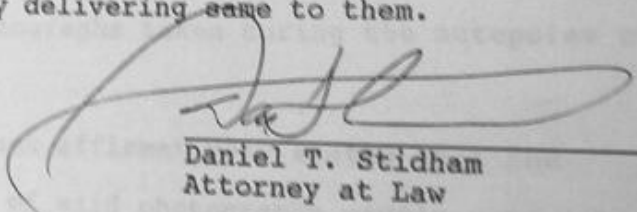
RESPECTFULLY SUBMITTED,

BY:


STIDHAM & CROW
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CERTIFICATE OF SERVICE

I, Daniel T. Stidham, Attorney for the Defendant herein, do hereby certify that I have served a copy of the foregoing pleading upon John Fogleman, Deputy Prosecuting Attorney, P.O. Box 1663, West Memphis, AR 72303, and all other attorneys of record, by placing same in the U.S. Mail this 8th day of January, 1994 with sufficient postage attached to ensure delivery, or by personally delivering same to them.


Daniel T. Stidham
Attorney at Law