**JUS-441 Topic 5 Motion in Limine Simulation**

**NOTE: This assignment consists of two parts. Follow the instructions for each part.**

**Part I: Motion in Limine Documentation**

Instructions:

1. Review the "Memorandum to Smith" document.
2. Based upon the information found in the “Memorandum to Smith,” complete the Motion in Limine below. Be sure to complete the information in every [bracket].
3. Be sure to include a *legal* rationale for grounds for exclusion of the evidence.

**Motion in Limine**

*[Name of attorney filing]*

*[Name of attorney’s firm]*

*[Address of attorney’s firm]*

*[Arizona State Bar number of attorney]*

*[Email address of attorney]*

*[Telephone number of attorney]*

*[Designation of represented party]*

*[Name of represented party]*

In the Superior Court of the State of Arizona

In and for the County of *[Name of County]*

|  |  |  |
| --- | --- | --- |
| *[Name of Prosecutor]*, State of Arizona |  | NO. *[CASE NUMBER]* |
| Prosecutor, |  |  |
|  |  |  |
| v. |  | **MOTION** IN **LIMINE** |
|  |  |  |
| *[Name of defendant]*, |  | Assigned to the Honorable |
| Defendant. |  | *[Name of judge]* |
|  |  | *[OPTIONAL: Oral Argument Requested]* |
|  |  |  |

Pursuant to Ariz. R. Civ. P. 7.2(b) (2017), *[name of party]* herein, by and through undersigned counsel, respectfully requests the Court enter an Order precluding the introduction of documentary evidence or testimony concerning *[description of matter]* at the trial of this matter on the grounds and for the reason that *[description of grounds for exclusion ( comp. 1.5)]*.

This Motion is supported by the Memorandum of Points and Authorities attached hereto and incorporated herein by this reference.

RESPECTFULLY SUBMITTED this *[date of submission]*.

\_\_\_\_\_\_\_\_\_\_\_\_\_

*[Name of attorney]*

*[Name of attorney’s firm]*

*[Address of attorney’s firm]*

Attorney for

*[designation of party]*

*[Name of party]*

Original efiled with court on this

*[date of filing]* with Clerk of Court.

A copy has been or will be

​ mailed ​ emailed ​ hand-delivered

on *[date of service]* to:

*[Name of opposing party or attorney]*

*[Address of opposing party or attorney]*

**Part II: Motion in Limine Analysis**

**Answer the following questions in a 150-200-word response for each. Be sure to cite at least three scholarly sources in support of your responses.**

1. What would happen if the Motion in Limine were denied?
2. Why was this case filed in the jurisdiction that it was, as opposed to a different jurisdiction such as City court or Federal court? (comp. 2.3)
3. When may a motion be amended? Is this a matter of procedural right or procedural discretion? Explain.

**References**