**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 asCity 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**