

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF HENNEPIN

FOURTH JUDICIAL DISTRICT

State of Minnesota,

Plaintiff,

**STATE'S NOTICE OF MOTION
AND MOTION**

vs.

Court Case No. 27-CR-21-17008

C.A. Case No. 21A07732

NICOLLE LYNN FAWCETT,

Defendant.

NOTICE

TO: THE COURT AND COUNSEL FOR THE ABOVE-NAMED DEFENDANT

PLEASE TAKE NOTICE that on January 30, 2023, at 9:00 a.m., or as soon thereafter as counsel may be heard, before the Honorable Luis Bartolomei, Judge of District Court, the State will move the Court for the following Motions in Limine:

MOTIONS

The State of Minnesota hereby moves the Court for an Order granting the following:

1. Allowing the State to offer expert testimony from one or more witnesses on the State's witness list about possession with intent to distribute, including personal use amounts, value, and instrumentalities of sale.

Authority: MINN. R. CRIM. P. 9.01; MINN. R. Evid. 702; *State v. White*, 332 N.W.2d 910, 912 (Minn. 1983); *State v. Collard*, 414 N.W.2d 733 (Minn. Ct. App. 1987).

2. Allowing the State to introduce evidence of surveillance conducted by law enforcement as intrinsic evidence, or in the alternative, as *Spreigl* evidence.

Authority: MINN. R. CRIM. P. 401-404(b); *State v. Hollins*, 765 N.W.2d 125, 132 (Minn. Ct. App. 2009); *State v. Griller*, 582 N.W.2d 736, 743 (Minn. 1998); *State v. Wofford*, 262 Minn. 112, 118 (Minn. 1962).

Respectfully submitted,

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 01/30/2023

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