

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF HENNEPIN

FOURTH JUDICIAL DISTRICT

State of Minnesota,

)

STATE'S MOTIONS *IN LIMINE*

)

Plaintiff,

)

MNCIS No: 27-CR-21-20072

)

C.A. File No: 21A11247

vs.

)

)

GORDON EUGENE SHARP

)

)

Defendant.

)

\* \* \* \* \*

TO: THE HONORABLE GINA BRANDT, JUDGE OF HENNEPIN COUNTY DISTRICT COURT; ALEXANDER DAVIS, ATTORNEY FOR DEFENDANT

Please take notice, that on or prior to the trial on April 11, 2022, the State will seek an order granting the following relief:

1. Prohibiting the Defendant from commenting at any time during the trial or during closing arguments on the failure or alleged failure of the prosecution to call a witness.

Authority: State v. Daniels, 361 N.W.2d 819, 833 (Minn. 1985); State v. Swain, 269 N.W.2d 707 (Minn. 1978).

2. Prohibiting the Defendant from making any reference during any part of the trial to any self-serving statements made by the Defendant unless such statements are introduced by the State.

Authority: Minn. R. Evid. 801; State v. Bauer, 598 N.W.2d 352, 368 (Minn. 1999).

3. Prohibiting the Defendant from inquiring, offering evidence, or commenting upon, in the presence of the jurors or jury, the possible punishment or other adverse effects which defendant may face if a conviction results.

Authority: State v. Finley, 8 N.W.2d 217, 218 (Minn. 1943).

4. Prohibiting testimony or argument tending to suggest that the person who committed the charged offense was any person other than Defendant in the absence of notice by defense of an affirmative alternative-perpetrator defense and a sufficient showing that Defendant meets the foundational requirements to raise such a defense.

Authority: Minn. R. Evid. 401-403; 404; State v. Hawkins, 260 N.W.2d 150, 159 (Minn. 1977) (citation omitted).

Respectfully submitted,  
MICHAEL O. FREEMAN  
Hennepin County Attorney  
By: /s/ Warsame Galaydh

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Dated: March 15<sup>th</sup>, 2022



MINNESOTA  
JUDICIAL  
BRANCH