

IN THE DISTRICT COURT IN AND FOR TULSA COUNTY
STATE OF OKLAHOMA

STATE OF OKLAHOMA,)
Plaintiff,)
vs.)
Defendant.) Case No.

DEFENDANT’S MOTION *IN LIMINE* TO STRIKE ALIAS
AND/OR PRIOR NAMES AND BRIEF THEREON

Counsel for the above-named defendant moves this Court, *in limine*, for an order instructing the prosecutors, and any witnesses that are called to testify in the above-listed case, to refrain from making statements, commenting, or otherwise suggesting during the State’s voir dire, opening statements, direct or cross examination, responses to direct or cross examination, statements, objections, or by other means or device that any of the following facts may exist:

1. That State of Oklahoma has listed alias names underneath the Defendant’s name on the Information. None of these alleged alias or prior names have any bearing on the case at hand.
2. The Defendant, to the best of counsel’s knowledge, did not use any alias name at the time he was arrested, or at the time of the alleged crime, nor is counsel for the Defendant aware that he ever used any alias name during the whole time he was in the custody of the police, or being booked into the Tulsa County Jail.
3. To allow all of these alleged alias or prior names to be read to the jury is more prejudicial than probative, irrelevant, misleading and confusing to the issues in the case at hand.

4. Pursuant to the Oklahoma Evidence Code 12 O.S. §2401-3, the Fourteenth Amendment clause of the United States Constitution, and Art. 2, §7, of the Oklahoma Constitution, the defendant requests that the Court order the prosecution in limine to refrain from reading these alias names to the jury when the information is read and to refrain from any reference to these alleged alias names during the course of the trial.

Wherefore, the defendant respectfully requests this Court to exercise its discretion and make an order absolutely prohibiting the Assistant District Attorney, or any of it's witnesses, from making statements, commenting, or otherwise suggesting during the State's voir dire, opening statements, direct or cross examination, responses to direct or cross-examination, statements, objections, or by other means or device that any of the above and foregoing remarks exist by the authority delineating such remarks as improper and prejudicial.

Respectfully submitted,

Glen R. Graham OBA 12110
Attorney for Defendant
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CERTIFICATE OF DELIVERY

The undersigned does hereby certify that on the ___ day of _____, 20___, a true and correct copy of the above and foregoing instrument was hand delivered to the Office of the Tulsa County District Attorney, 500 S. Denver Ave., Tulsa, Oklahoma.

By: _____
GLEN R. GRAHAM