

08 OCT 31 AM 10:37

BERNABE P. STRUCK
CLERK OF THE
DISTRICT COURT

1 STATE OF NEW MEXICO
2 COUNTY OF UNION
3 EIGHTH JUDICIAL DISTRICT COURT

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5 STATE OF NEW MEXICO,
6 Plaintiff,

No. 08-25-CR

7 vs.

BEYOND 90SECONDS.COM

8
9 WAYNE BENT,
10 Defendant.

11 ORDER GRANTING DEFENDANT'S MOTION IN LIMINE

12 THIS MATTER having come before the Court on Defendant's Motion in Limine, requesting
13 that this Court enter an Order prohibiting the State or any of its' witnesses from referring to anyone
14 as "victim" in the presence of the jury at on the merits in this matter, the Court having hear argument
15 of counsel for the state and for the defense;

16 THEREFORE, no party shall refer to the state's witnesses as "victim" in the presence of the
17 jury at trial on the merits in this matter. The Prosecution shall be allowed to refer to said witnesses
18 as "victims" in closing argument if such an inference can be made by the jury based upon evidence
19 presented at trial.
20

21 *Gerald E. Baca*
22 Honorable Gerald E. Baca
23 Fourth Judicial District Judge

24 PREPARED BY:
25 MONTOYA LAW OFFICE

26 *Sarah M. Montoya*
27 Sarah M. Montoya
28 Attorney for Defendant

1 NOTED/APPROVED BY:
EIGHTH JUDICIAL DISTRICT ATTORNEY'S OFFICE

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Emilio Chavez for
Thomas R. Benavidez
Deputy District Attorney

BEYOND 90 SECONDS.COM