

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES)	
)	
v.)	1:21-cr-38
)	
BARNETT)	
_____)	

MOTION IN LIMINE

TO THE HONORABLE COURT:

Defendant, by and through counsel, submits this *motion in limine* to exclude the following Government exhibits.

Government exhibit 115: This exhibits is a montage video that pans back and forth between the evacuation of the Vice President’s evacuation and assorted camera footage throughout the Capitol. We do not object to any of the footage by itself, but the footage as a montage is unfairly prejudicial as it is edited in a manner of a Hollywood movie to create a sense of tension for the viewer. The Defense simply requests that this montage not be permitted.

Government exhibit 821: The exhibit portrays the out perimeter of the Capitol which was in various states of being removed by the time the defendant arrived at the Capitol grounds. The Government superimposed a dark red line surrounding the perimeter, as if tt was a state border line on a Rand McNally road atlas, which it most certainly was not. The red line unfairly prejudices the defendant because it gives the perception of an actual boundary or clearly “forbidden zone” which would have been obvious to any person approaching, which was not the

case. Defense has no objection to the picture, other than the red line and requests that the COurt order the Government to remove it if it wants to present the exhibit.

CONCLUSION

For the foregoing reasons, the Government should not be permitted to present the testimony of Ms. Barnett, and she should be excluded as a witness.

Dated: January 8, 2023
Washington, D.C.

Respectfully submitted,

/s/ Jonathan S. Gross
Jonathan S. Gross
Bar ID: MD0162
2833 Smith Ave, Suite 331
Baltimore, MD 21209
p: (443) 813-0141
e: jon@clevengerfirm.com

/s/ Joseph D. McBride, Esq
Joseph D. McBride, Esq.
Bar ID: NY0403
THE MCBRIDE LAW FIRM, PLLC
99 Park Avenue, 6th Floor
New York, NY 10016
e: jmcbride@mcbridelawnyc.com

/s/ Bradford L. Geyer
Bradford L. Geyer
FormerFedsGroup.com, LLC
141 I Route 130, Suite 303
Cinnaminson, NY 08077
e: Brad@FormerFedsGroup.com

/s/ Carolyn Stewart
Carolyn Stewart
Stewart Country Law, PA
1204 Swilley Rd
Plant City, FL 33567
e: Carolstewart_esq@protonmail.com

CERTIFICATE OF SERVICE

I hereby certify on this 8th day of January 2023, a copy of the foregoing was served upon all parties as forwarded through the Electronic Case Filing (ECF) System.

/s/ Jonathan Gross, Esq
Jonathan Gross, Esq.