

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

| | | |
|---------------------------------|---|---------------------------------|
| UNITED STATES OF AMERICA | : | |
| | : | CASE NO. 21-cr-619 (BAH) |
| v. | : | |
| | : | |
| ERIK HERRERA, | : | |
| | : | |
| Defendant. | : | |

MOTION IN LIMINE

The United States of America, by and through its attorney, the United States Attorney for the District of Columbia, submits the following motion in limine:

In opening statement, defense stated that their client exchanged several emails with local San Diego media managers, editors, etc. The defense did provide emails to this effect to the Government as potential exhibits. Based on these two pieces of information, it appears the defense intends to introduce these emails and their content for consideration by the jury. The Government submits that emails exchanged between the defendant and any other individual or organization is hearsay pursuant to Federal Rules of Evidence 801 and 802, and there is no applicable exception to these Rules.

Respectfully submitted,

MATTHEW M. GRAVES
United States Attorney
D.C. Bar No. 481052

/s/
CHRISTOPHER M. COOK
Detailee, KS Bar No. 23860
JACQUELINE SCHESNOL
Detailee, AZ Bar No, 016742
Assistant United States Attorneys
United States Attorney's Office
601 D Street, NW
Washington, D.C. 20530