

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

UNITED STATES OF AMERICA

vs.

Case No: 21-cr-00348-SCB

JEREMY BROWN

DEFENDANT'S MOTION IN LIMINE #1

COMES NOW, the Defendant, Jeremy Brown, by and through undersigned counsel, hereby respectfully submits this Motion in Limine #1. The Defense specifically moves this Honorable Court to exclude any reference to child pornography.

Contained in the voluminous discovery on a document with Bates stamp DISC-03459 is a paragraph referencing some allegation by some individual interpreting something Mr. Brown said on a jail phone interview as something to do with child pornography. *Exhibit A: Document DISC-03459.*

The Defense submits that this evidence is completely irrelevant to the charged crimes. Pursuant to Rule 402, irrelevant evidence is not admissible. Whether the Defendant said something that someone else interpreted as a

reference to child pornography does not tend to prove or disprove whether the Defendant unlawfully possessed firearms, grenades, or classified documents. Mr. Brown has not been charged with anything related to any child pornography. Mr. Brown was not talking about child pornography. He was referencing Count 3 of the Indictment when he was quoted by the CHS. This apparently is a witness interpreting what Mr. Brown said as a reference to child pornography. Accordingly, the Defense disputes that there is any relevance whatsoever to this information from a CHS.

Even if there was some relevance, which the Defense cannot possibly contemplate, pursuant to Rule 403, it would be completely outweighed by the danger of unfair prejudice to the Defendant. Discussions about child pornography are extraordinarily inflammatory and highly prejudicial. The unfair prejudice far outweighs any probative value of the mention of child pornography in this trial.

The Government does not agree that any reference to this speculation that Mr. Brown referenced child pornography is per se inadmissible.

WHEREFORE, the Defense respectfully requests this Honorable Court to grant this motion and exclude any reference to the inadmissible evidence set forth above.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished to the Clerk of Court for e-filing and service on all interested parties on this 19th day of September, 2022.

Respectfully submitted,

/s/ Roger Futerman

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