

NORTH CAROLINA
_____ COUNTY

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION
__ CVD __

_____,
Plaintiff,
v.
_____,
Respondent.

)
)
) **DEFENDANT'S MOTION IN**
) **LIMINE REGARDING**
) **PHOTOGRAPHS**
)
)
)

NOW COMES Defendant in the above-entitled matter, through undersigned counsel, moves in limine to exclude certain evidence. In support of this motion, Respondent respectfully shows the following:

1. Plaintiff has indicated an intention to introduce into evidence certain photographs that were sent to Defendant's counsel for review on _____. The photographs are undated, and none are probative of any issue in this case. The photographs in question are listed as Plaintiff's Exhibits # 25 through 50 on the draft Pretrial Order. More specifically, Plaintiff has labeled these proposed exhibits in the Pretrial Order as follows:
2. Defendant objects to the admission into evidence of these photographs in that every photo proposed to be admitted pre-dates the events that Plaintiff contends are the basis of his cause of action by a minimum of five months. In addition, the photographs are irrelevant, immaterial and are of no probative value regarding the facts in dispute. The apparent intent of Plaintiff in attempting to introduce these photographs is to embarrass, harass and intimidate a witness. This improper intent is evidenced by the letter from Plaintiff's counsel to counsel for the witness, _____ which is attached and incorporated herein by reference.

WHEREFORE, Defendant prays that the Court exclude the above-referenced photographs from evidence and prohibit Plaintiff from introducing them at the trial of this matter.

This the _____ day of _____, 20__.

NC State Bar # _____
Attorneys for Defendant
_____, North Carolina _____

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