

STATE OF MICHIGAN
WAYNE COUNTY CIRCUIT COURT
CRIMINAL DIVISION

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff,

-vs-

Case # 98-44999

Hon. Timothy Kenny

GEORGE MASON,

Defendant.

Patricia Leonard, Wayne County Prosecutor
Wayne County Prosecutor's Office
12th floor – Frank Murphy Hall of Justice
1441 St. Antoine
Detroit, MI 48226
(313) 224-5777

Steven Fishman (P23049)
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MOTION IN LIMINE

Now comes George Mason, Defendant herein, by and through his attorney Steven Fishman, and in support of his motion in limine states as follows:

1. Defendant Mason is charged with first-degree murder, kidnapping, armed robbery, and felony-firearm. All of the charged offenses arise out of the homicide of Lois Lane.
2. One of the witness against him is Tonya Chatman, a woman who claims to have been a close friend of the deceased.
3. Ms. Chatman testified at the preliminary examination.

4. During direct examination, Ms. Chatman was very emotional, cried intermittently, and injected unresponsive statements, including questions directed at Defendant Mason, into her testimony.

5. During cross-examination, Ms. Chatman was much more composed, and answered questions in a more normal and rational manner.

6. Ms. Chatman's demeanor during direct examination, if repeated at trial, would be highly prejudicial to Defendant Mason and would interfere with his right to a fair and impartial jury.

7. While everyone recognizes that giving testimony in a homicide case can often be an emotional experience, it is the duty of the Court to control the proceedings and insure that Defendant Mason receives a fair trial.

WHEREFORE, Defendant Mason requests that the witness Tonya Chatman be instructed that (a) she may not volunteer unresponsive statements nor direct questions at Defendant Mason, and (b) she should attempt, if at all possible, to keep her emotions under control during her testimony at trial.