

STATE OF MICHIGAN  
WAYNE COUNTY CIRCUIT COURT  
CRIMINAL DIVISION

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff,

-vs-

#00-11111  
Hon. Timothy Kenny

DAVID KOWALSKI,

Defendant.

MOTION IN LIMINE

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

1. Defendant Kowalski is a Detroit police officer charged with involuntary manslaughter as a result of the fatal shooting of Earl Short on August 29, 2000.
2. The case has generated a great deal of emotion in the community.
3. At the preliminary examination, the courtroom and adjoining hallway was crowded with supporters of both sides, some of whom were wearing ribbons, t-shirts, and other items reflecting their viewpoint in the case.
4. Jury trial is scheduled to begin on March 27, 2001.
5. Ribbons, buttons, t-shirts, and other items indicating a particular position in the case have no place in the courtroom during a jury trial.
6. This Court should, therefore, issue an order prohibiting the display of ribbons, buttons, t-shirts or any other item intended to reflect any person's viewpoint in the case.

7. The Court should also order spectators to refrain from outbursts or reactions of any sort to the testimony of any witness, the arguments of counsel, or the Court's rulings during the trial.

WHEREFORE, Defendant Kowalski requests that this Court grant his motion in limine, and order that ribbons, buttons, t-shirts, or any other item reflecting an individual's viewpoint in the case be banned from the courtroom and further order that spectators refrain from reactions of any sort to witness testimony, arguments of counsel, or rulings by the Court.

Respectfully submitted,

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