

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH  
CENTRAL DIVISION

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JACQUES DUPREE MIRANDA,

Plaintiff,

vs.

STATE OF UTAH, et al.,

Defendants.

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MEMORANDUM DECISION AND  
ORDER GRANTING IN PART AND  
TAKING UNDER ADVISEMENT  
PLAINTIFF'S MOTION IN LIMINE  
RE: CRIMINAL HISTORY

Case No. 2:03-CV-1097 TS

The parties agree that Defendant should be precluded from mentioning, admitting, or describing any prior criminal history, juvenile convictions, or alleged acts of criminal activity of the Plaintiff, Jacques Dupree Miranda, other than the admission that Plaintiff has been convicted of a crime punishable by imprisonment for more than one year, pursuant to Fed. R. Evid. 609(a)(1). Plaintiff, however, seeks a broader order excluding evidence of alleged acts of criminal activity or conduct while in prison or police activity. Defendant objects to this request.

Based on the parties' agreement, the Court will grant Plaintiff's Motion in part. The Court is unable, however, to rule on Plaintiff's broader request for exclusion outside the context of trial. Therefore, the Court will take this Motion under advisement.


It is therefore

ORDERED that Plaintiff's Motion in Limine Re: Criminal History (Docket No. 161) is GRANTED IN PART AND TAKEN UNDER ADVISEMENT. It is further

ORDERED that Defendant is precluded from any mention, admission, or description of any prior criminal history, juvenile convictions, alleged acts of criminal activity of the Plaintiff, Jacques Dupree Miranda, other than admission that Plaintiff has been convicted of a crime punishable by imprisonment for more than one year, pursuant to Fed. R. Evid. 609(a)(1). The specifics of said convictions are irrelevant, immaterial and prejudicial.

DATED February 27, 2009.

BY THE COURT:



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TED STEWART  
United States District Judge