

STATE OF MINNESOTA

IN THE DISTRICT COURT

COUNTY OF LYON

FIFTH JUDICIAL DISTRICT

State of Minnesota,

COURT FILE NO. 42-CR-08-220

Plaintiff,

vs.

Olga M. Franco del Cid,

NOTICE OF MOTION AND
MOTION IN LIMINE TO BAR
CONCLUSORY EVIDENCE

Defendant.

TO: District Court Administrator and Mr. Rick Maes, Esq., Lyon County Attorney, 607 W. Main St., Marshall, MN 56258, and Judge David W. Peterson, P.O. Box 130, Redwood, MN 56283.

PLEASE TAKE NOTICE that the Defendant, by counsel, moves the Court for a Limini Order to bar conclusory evidence, so as:

1. To prohibit testimony by any witness that Defendant was driving the van that collided with the school bus unless said witness personally witnessed said fact.

2. Any such testimony invades the province of the jury in that said function is for the jury as to the issue of guilt.

WHEREFORE, Defendant prays for an order barring any witness from testifying that she was the driver of the van in question.

Dated: July 28, 2008

Manuel P Guerrero

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FILED IN THIS OFFICE

7-25-08

Karen J. Bierman
COURT ADMINISTRATOR
Marshall, Lyon County, Minnesota