

STATE OF MINNESOTA
COUNTY OF HENNEPIN

DISTRICT COURT
FOURTH JUDICIAL DISTRICT

State of Minnesota,

Court File No.: 27-CR-18-6859

Plaintiff,

v.

**DEFENDANT'S FOURTH
MOTION IN LIMINE**

Mohamed M. Noor,

Defendant.

Defendant, Mohamed M. Noor, by and through his attorneys, and pursuant to Minnesota Rules of Criminal Procedure Rule 12.02 and Minnesota Rules of Evidence Rules 401-404, moves this Court to preclude the State from introducing evidence related to comments or opinions made about the Minneapolis Police Department's immediate handling of the scene on the night of July 15, 2017.

On July 15, 2017, following the arrival of first responders and additional law enforcement there were comments made by first responders and Bureau of Criminal Apprehension agents about their sense of the atmosphere at the scene and MPD's handling of the scene and immediate investigation. Opinions about the atmosphere at the scene compared to other shootings and other officer involved shootings and the handling of the scene and immediate investigation by the MPD should be excluded under MINN.R.EVID. Rules 401-404 because they are not relevant and would be highly prejudicial to Officer Noor. Following the arrival of additional MPD officers, Officer

Noor was separated from the scene. He did not control or direct the investigation. To allow testimony that the MPD's investigation in this case was somehow different from other shooting investigations has no relevance to charges Officer Noor faces. While the Hennepin County Attorney's office has made it clear that they are frustrated with what they perceive to be a "blue line" reaction by the MPD in this case, the politics between the two agencies has no place in this case.

WHEREFORE, the Officer Noor respectfully requests the Court grant his motion and exclude evidence related to comments or opinions made about the MPD's investigation in this case.

Respectfully submitted,

Dated: April 7, 2019.

s/ Thomas C. Plunkett

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