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IN THE FIFTH DISTRICT COURT
WASHINGTON COUNTY, STATE OF UTAH

STATE OF UTAH,

Plaintiff,

vs.

WARREN STEED JEFFS,

Defendant.

DEFENDANT'S MOTION IN LIMINE
TO EXCLUDE ANTICIPATED
TESTIMONY OF
JETHRO BARLOW

[FILED UNDER SEAL]

Case No. 061500526

Judge James L. Shumate

The Defendant, Warren Steed Jeffs, by and through counsel, hereby moves this Court to prohibit the State from presenting any testimony from Jethro Barlow (a former member of the FLDS religion). It is anticipated that Mr. Barlow would testify that disapproved of Mr. Jeffs' leadership of the church, his involvement in underage

marriages and Mr. Jeff's involvement in marital relationships, including his counseling of abusive relationships.

The defense asserts that Mr. Barlow's testimony is not relevant under Rule 401 of the Utah Rules of Evidence and that it is unfairly prejudicial under Rule 403. The defense also believes that this an improper use of character evidence that is prohibited by Rule 404(b) of the Utah Rules of Evidence. In addition, Mr. Barlow does not have personal knowledge of the kind that is required under Rule 602.

For the reasons enumerated, the defense requests that this Court order that Mr. Barlow's testimony be excluded at trial.

This Motion is accompanied by a Memorandum of Law submitted contemporaneously herewith.

DATED this 17th day of July, 2007.

BUGDEN & ISAACSON, L.L.C.

By


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CERTIFICATE OF SERVICE

I hereby certify that, on the 9 day of July, 2007, I caused to be served a true and correct copy of the foregoing by the method indicated below, and addressed to the following:

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