

IN THE CIRCUIT COURT FOR BALTIMORE CITY, MARYLAND

STATE OF MARYLAND

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V.

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CASE NO: 109210015

SHEILA ANN DIXON

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**STATE'S RESPONSE TO DEFENDANT'S MOTION IN LIMINE
TO EXCLUDE EVIDENCE OF OTHER ACTS**

Comes now the State of Maryland, by and through its undersigned counsel, and responds to the Defendant's Motion In Limine as follows:

1. The Defendant seeks to limit the State from introducing the financial disclosure forms executed by the Defendant under the penalties of perjury.
2. At the present time, the State does not intend to introduce the Defendant's financial disclosure forms nor refer to them in opening statement.
3. Nevertheless, whether those financial forms may become relevant is substantially dependent upon the nature of the Defendant's cross examination of the various witnesses and the defense which may be offered in this case.
4. Clearly, if the Defendant raises matters either during the cross examination of witnesses or the presentation of its defense that may make the financial disclosure forms relevant, then the State should be able to refer to the financial disclosure forms.
5. In any event, a pretrial ruling that such financial disclosure forms can not

be referred to or introduced at trial would be premature. Instead, the better practice would be to wait until the Defendant's statements contained in the financial disclosure forms become an issue and, at that time, the Court can rule upon the admissibility of those forms. If the forms become relevant, it is not necessarily evidence of another "bad act". Rather, it may be evidence of the Defendant's prior inconsistent statements which were made under oath. Again, those issues are better reserved for the trial.

Wherefore, the premise is considered, the State respectfully moves this Honorable Court to deny the Motion In Limine to exclude the Defendant's financial disclosure forms and to make such rulings at trial if, and when, those financial disclosure forms and any possible prior inconsistent statements of the Defendant become an issue.

Respectfully submitted,



ROBERT A. ROHRBAUGH
State Prosecutor

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30th day of October, 2009 a copy of the foregoing State's Response to Defendant's Motion In Limine to Exclude Evidence of Other Acts was e-mailed and mailed, postage prepaid, to:

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Robert A. Rohrbaugh
State Prosecutor