

CR14-0675616 –T : SUPERIOR COURT
STATE : JUDICIAL DISTRICT OF
V. MIDDLETOWN
EDWARD TAUPIER : FEBRUARY 27, 2015

STATE’S MOTION IN LIMINE RE PROTECTIVE ORDER/CONDITIONS OF RELEASE

The State of Connecticut, pursuant to Connecticut Practice Book § 42-15¹, moves this court in limine to exclude any reference to the protective order that was vacated as to Tanya Taupier and any and all of the defendant’s conditions of pretrial release, including his bond. In support of this motion the State asserts as follows:

1. On November 18, 2014, this court vacated the protective order pertaining to Tanya Taupier that was issued in the defendant’s case. The court imposed pretrial conditions of release that were similar to those contained in the protective order. These included no contact with Ms. Taupier and contact with the two children as outlined in the family court orders. Further pretrial conditions of the defendant’s release include house arrest with an electronic monitoring bracelet. The defendant posted a total of \$75,000 as a cash bond.
2. Under Evidence Code 4-1, the court’s vacating of the protective order, amount of the defendant’s bond, and conditions of his release are irrelevant to the central issues of the case.

¹ Practice Book § 42-15 provides in pertinent part as follows: “[t]he judicial authority to whom a matter has been referred for trial may in its discretion entertain a motion in limine made by either party regarding the admission or exclusion of anticipated evidence.”

2. Under Evidence Code 4-3, evidence that the court vacated the protective order is not probative of any material issue and is likely to confuse the jury. Moreover, neither the amount of the defendant's bond nor his conditions of release has any probative value. The State submits that any probative value is outweighed by the potential of misleading or confusing the jury. In addition, the fact that the defendant is under house arrest could either engender sympathy for him or lead the jury to believe he may be a public safety threat.

Based on the foregoing, the State respectfully asks the court to grant its motion in limine to exclude evidence of the following: 1) that the protective order was vacated as to Tanya Taupier; 2) any reference to the defendant's bonds; and 3) all conditions of the defendant's pretrial release.

THE STATE OF CONNECTICUT

By: _____

BRENDA HANS, Assistant State's Attorney, Juris# 420294

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ORDER

The State's motion *in limine* to exclude any reference to the protective order that was vacated as to Tanya Taupier and any and all of the defendant's conditions of pretrial release, including his bond, having been reviewed by the Court, is hereby ORDERED:

_____ GRANTED

_____ DENIED

CERTIFICATION

I hereby certify that a copy of the foregoing was emailed to counsel for the defendant, Rachel Baird, Old Post Office Square 8 Church Street Suite 3 B, Torrington, CT 06790 rbaird@rachelbairdlaw.com fax # (860) 626-9992 on February 26, 2015 after 5 p.m.

BRENDA HANS, Assistant State's Attorney