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STATE OF MARYLAND

* IN THE
CRIMINAL DIVISION CIRCUIT COURT FOR
* BALTIMORE CITY

v.

EDWARD NERO

* CASE No. 115141033
*

* * * * *

**STATE'S RESPONSE TO DEFENDANT'S MOTION *IN LIMINE* TO PRECLUDE
REFERENCE TO OR ARGUMENT ABOUT MR. GRAY'S INITIAL DETENTION NOT
BEING SUPPORTED BY REASONABLE SUSPICION, MR. GRAY'S ARREST NOT
BEING SUPPORTED BY PROBABLE CAUSE, OR MR. GRAY'S SEIZURE NOT
BEING OTHERWISE LEGALLY JUSTIFIED**

Now comes the State of Maryland, by and through Marilyn J. Mosby, the State's Attorney for Baltimore City; Michael Schatzow, Chief Deputy State's Attorney for Baltimore City; Janice L. Bledsoe, Deputy State's Attorney for Baltimore City; and Matthew Pillion, Assistant State's Attorney for Baltimore City; and responds as follows to the Defendant's Motion *in Limine* to Preclude reference to or argument about Mr. Gray's initial detention not being supported by reasonable suspicion, Mr. Gray's arrest not being supported by probable cause, or Mr. Gray's seizure not being otherwise legally justified:

1. The Defendant's Motion *in Limine* seeks to exclude reference to or argument about Mr. Gray's initial detention not being supported by reasonable suspicion, Mr. Gray's arrest not being supported by probable cause, or Mr. Gray's seizure not being otherwise legally justified. In a bizarre display of circular reasoning and disregard for the fact-finding process, the sole basis on which the Defendant brings this Motion is "[b]ecause Defendant Officer Nero *had* legal authority to seize Mr. Gray throughout the encounter on April 12, 2015," or, alternatively, because "Defendant Officer Nero, as an assisting officer, acted in *reasonable reliance*" on the belief that other officers had such legal authority. Def. Motion at 1, 8 (emphasis supplied).

