IN THE CRIMINAL COURT FOR DAVIDSON COUNTY, TENNESSEE **DIVISION V**

STATE OF TENNESSEE] "	Davidson County Criminal County
VS	NO. 2019-A-26	JUN 25 2021
ANDREW DELKE	i	By Karan Elid
	REVISED ORDER	Clerk Clerk

The Court heard motions in limine on June 4th, 7th, and 15th, 2021. After careful review, the Court finds as follows:

Defense Motions in Limine:

- 1. Defendant's Delay of Approximately 48 hours Before Giving a Voluntary Statement to Investigators - The State will inform the defense using defendant's statement in case in chief.
- 2. To Permit Other Relevant Photographs of Daniel Hambrick into Evidence should the Government Introduce other "Life" Photographs of Daniel Hambrick which should not be permitted in any Event - The Court will allow an 8 x 10 of the victim. Counter photos in a different light are not relevant and not allowed.
- 3. Regarding References to Daniel Hambrick and to Officer Andrew Delke This Court refers to parties by their proper name and alleged victim or position title. The State may refer to the victim as "victim".
- 4. Regarding the Lawsuit by Mrs. Hambrick against Officer Delke and Metro Nashville – This has been resolved by an Agreed Order.
- 5. Regarding Prohibiting Spectators and Family Members from wearing shirts/buttons displaying images of Mr. Hambrick, containing name or related slogans and to permit defense to introduce images of Mr. Hambrick. - This has been resolved by an Agreed Order.
- 6. To Permit Interim Commentary Counsel should let the witness testify. Counsel may provide limited commentary of only a few words.
- 7. To Permit Evidence that Mr. Hambrick had Utilized a Weapon at a Firing Range This motion is under advisement.

- 8. To Permit Introduction of Arrests and Convictions of Daniel Hambrick This motion is Denied.
- 9. To Prohibit Certain Crime Statistics This motion is Granted.
- 10. Regarding the Location of Bullet Strikes in Daniel Hambrick's Body This has been resolved by an Agreed Order.
- 11. Regarding Number of Shots Fired by Defendant This has been resolved by an Agreed Order.
- 12. Regarding Prosecution's Suggestion that Defendant is Using the same Defense that Nazis used at the Nuremberg trials This has been resolved by an Agreed Order.
- 13. To Prohibit the State from Introducing Exhibits, Eliciting Testimony and Making any Arguments Regarding the Dissolution Renaming of the Juvenile Crimes Task Force This has been resolved by an Agreed Order.
- 14. To Prohibit the State from Eliciting Any Testimony or Making Any Arguments or Inferences Regarding Racial Issues This has been resolved by an Agreed Order.
- 15. Regarding State's Expert Emanuel Kapelsohn The Court will conduct a jury out hearing should the need arise.
- 16. Regarding Missing Evidence Which the State failed to Preserve and for the Court to Impose Certain Remedies Given the Constitutional Violation This motion is under advisement.
- 17. Regarding Untimely disclosed Experts and Reports This motion is Denied. Sgt. Stiger may be listed as a State's Expert Witness.

State Motions in Limine:

- 1. Use of Force The Court will conduct a jury out hearing should the need arise.
- 2. Accident Reconstruction Expert The Court will conduct a jury out hearing should the need arise.
- 3. Fourth Amendment Expert This motion is Denied. Mr. Victor Johnson will be permitted to testify as an Expert Witness regarding Fourth Amendment issues.
- 4. Character Evidence of the Victim This evidence is not relevant.
- 5. Character Evidence of Michael Davis and Quintel Hudson This evidence is not relevant. The Court will conduct a jury out hearing should the need arise.

- 6. Defendant's Statements pursuant to Hall Self-serving statements are not admissible.
- 7. Investigation and Judicial Decisions regarding personal opinion testimony The indictment speaks for itself and renders this issue moot.
- 8. Video of Officer involved shootings not pertinent to this case This evidence is not relevant according to Tenn. R. Evidence 401-403.

IT IS SO ORDERED.

Entered this 25 day of June, 2021.

MONTE D. WATKINS, JUDGE DIVISION \

CC: Roger Moore David Raybin