

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 06-CR-020

GEORGIA THOMPSON,

Defendant.

DEFENDANT'S FIFTH MOTION IN LIMINE

NOW COMES Georgia Thompson by her attorneys, Hurley, Burish & Stanton, S.C., by Stephen P. Hurley, and pursuant to her rights to due process and a fair trial, under the Fifth and Sixth Amendment to the United States Constitution, moves this Court, *in limine*, for an order requiring that the Court and the government refer to Georgia Thompson as "Ms. Thompson," "Georgia Thompson," or the "accused" rather than the "defendant." Under the United States Constitution Georgia Thompson is afforded the presumption of innocence. Consequently, the jury should hear references to her by name of as the "accused." The label of "defendant" is contrary to the presumption of innocence because it implies a burden to defend. The term "defendant" is also unduly prejudicial. Thus, an unbiased and value-neutral term should be used to

preserve Georgia Thompson's due process right to a fair trial.

WHEREFORE, Georgia Thompson respectfully requests that this Court grant the relief requested.

Dated this 1st day of June, 2006.

Respectfully submitted,

HURLEY, BURISH & STANTON, S.C.

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