

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT  
IN AND FOR SEMINOLE COUNTY, FLORIDA

STATE OF FLORIDA

VS.

CASE NO.: 2012-001083-CFA  
SA NO: 1712F04573

GEORGE ZIMMERMAN  
\_\_\_\_\_ /

**STATE'S MOTION IN LIMINE REGARDING SELF-SERVING HEARSAY**  
**STATEMENTS OF DEFENDANT**

The State of Florida, by and through the undersigned Assistant State Attorney, hereby moves this Honorable Court for an Order governing forthcoming trial proceedings in the instant case. In support of the instant Motion, the State submits the following:

(1) Defendant may attempt to introduce evidence, testimony, questioning, or other reference to self-serving hearsay statements made by Defendant to witnesses without proper evidentiary predicate or appropriate witness testimony.

(2) Such statements are inadmissible pursuant to §90.801, Florida Statutes, and are "generally excluded from criminal cases because of their hearsay character." Alexander v. State, 627 So.2d 35 (Fla. 1st DCA 1993). Moreover, the statements would not be admissible as part of the *res gestae* in the instant case or under any recognized hearsay exception. *Id.*; Stiles v. State, 672 So.2d 850 (Fla. 4th DCA 1996). See also Overton v. State, 429 So.2d 722 (Fla. 1st DCA 1983).

(3) In addition, any such references would be far more prejudicial and confusing to the jury than warranted by their limited probative value of the issues in the instant case.

WHEREFORE, the state requests this Honorable Court prohibit mention by counsel or Defendant in any form of the above-referenced matters.

**CERTIFICATE OF SERVICE**

I HERBY CERTIFY that a copy of the foregoing has been furnished by email to Mark O'Mara, Esq., Don West, Esq., this 10<sup>th</sup> day of May, 2013.

ANGELA B. COREY  
STATE ATTORNEY

By: 

Bernardo de la Rionda  
Bar Number: 365841  
Assistant State Attorney