

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA)	
)	
v.)	No. 08 CR 846
)	
JON BURGE)	Judge Joan H. Lefkow

**GOVERNMENT’S RESPONSE TO DEFENDANT’S MOTION *IN LIMINE* TO
PRECLUDE TESTIMONY OF AFLONZO PINEX**

The UNITED STATES OF AMERICA, by its attorney, PATRICK J. FITZGERALD, United States Attorney for the Northern District of Illinois, responds as follows to defendant’s motion *in limine* to preclude the testimony of Alfonzo Pinex:

Background

The government has identified Alfonzo Pinex as a potential witness at trial. Defendant moves to bar the government from presenting Pinex’s testimony arguing that such testimony does not satisfy the relevancy standards. *See generally*, F.R.E. 401 through 403.

The government identified Pinex as a potential witness. After having considered the totality of evidence in the case, and with considerations of judicial economy in

mind, the government will not be calling Alfonzo Pinex in its case in chief. Therefore, the government requests that this Court deny defendant's motion as being moot.

Respectfully submitted,

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