

THE STATE OF NEW HAMPSHIRE  
SUPERIOR COURT

HILLSBOROUGH, SS.-NORTH

AUGUST TERM, 2008

STATE OF NEW HAMPSHIRE

v.

MICHAEL ADDISON

No. 07-S-0254

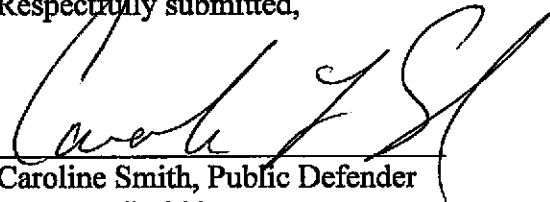
Response To State's Motion In Limine No. 7 (Penalty Phase):  
Motion To Preclude Religious Based Arguments

The accused, Michael Addison, and his Public Defenders respond to the State's Motion In Limine No. 7, to preclude "religious based" arguments, as follows:

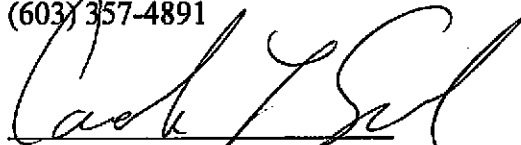
1. The defense does not intend to make any express appeals to religious beliefs in any presentation to the jury.
2. The defense requests that both the prosecution and the defense be precluded from making "religious based arguments."
3. The defense further requests that issue an order recognizing that, in the final phase of sentencing, except where otherwise barred by a rule of law:
  - a. Witnesses may properly describe interactions with the defendant or his family in contexts where religion plays a role.
  - b. Witnesses may describe their own behavior, another's behavior, or the defendant's behavior, in contexts where religion plays a role.
  - c. Counsel for either side may comment on such testimony in opening statements and closing arguments.

WHEREFORE, the defendant respectfully requests the Court note the defense position and rule accordingly.

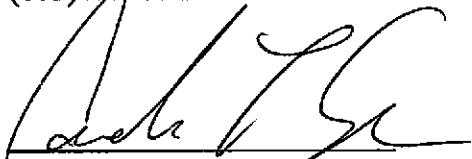
Respectfully submitted,



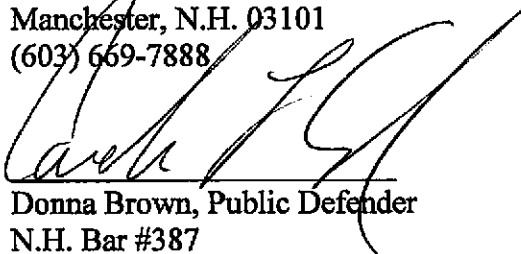
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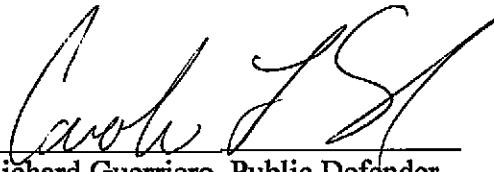
Richard Guerriero, Public Defender  
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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Motion has been forwarded this 29<sup>th</sup> day of August 2008, to the Office of the Attorney General.

  
Richard Guerriero, Public Defender

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