

STATE OF WISCONSIN CIRCUIT COURT MANITOWOC COUNTY

STATE OF WISCONSIN,

Plaintiff

vs.

MANITOWOC COUNTY
STATE OF WISCONSIN
FILED
JAN 17 2006

DEFENDANT'S
NOTICE OF MOTION
Case No. 05 CF 381

STEVEN AVERY,

CLERK OF CIRCUIT COURT

Defendant.

TO: Atty. Kenneth Kratz, Special Prosecutor

PLEASE TAKE NOTICE that the defendant, by his undersigned attorney, has moved the Court for relief as set out in the attached motion. Said motion will be heard at the Manitowoc County Courthouse, Circuit Court, Branch One, at a date and time to be set by the court, the Honorable Patrick Willis presiding.



Erik R. Loy

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(1)

STATE OF WISCONSIN CIRCUIT COURT MANITOWOC COUNTY

STATE OF WISCONSIN,
Plaintiff,

MOTION FOR CHANGE OF
PLACE OF TRIAL
Case No. 05 CF 381

vs.

STEVEN AVERY,
Defendant.

MANITOWOC COUNTY
STATE PUBLIC DEFENDER
FILED

JAN 17 2006

CLERK OF CIRCUIT COURT

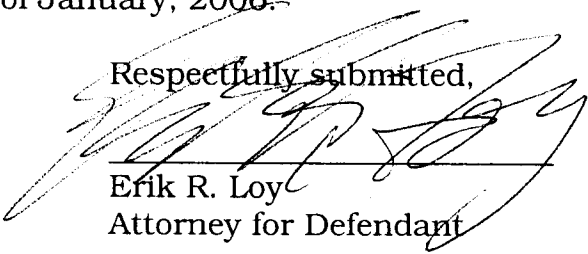
The defendant, by his attorney, both appearing specially and reserving his right to challenge the jurisdiction of the Court, upon all the records, files and proceedings heretofore had taken herein; moves this Court, pursuant to sec. 971.22 Wis. Stats., and the 5th, 6th and 14th Amendments to the United States Constitution, and Article One, Sections 6, 7 and 8 of the Wisconsin Constitution, for a change in the place of trial, on the grounds that an impartial trial cannot be had in Manitowoc County. Further, an affidavit and memorandum outlining our reasons for this request will follow.

The defendant, by his attorney, therefore requests that the Court order a change of place of trial or in the alternative, pursuant to sec. 971.225 Wis. Stats., order that a jury be brought in from a jurisdiction free from such prejudicial pretrial publicity and for such other and further relief as the case may require.

This motion made subject to continuing objections to the Court's jurisdiction.

Dated this 16th day of January, 2006.

Respectfully submitted,


Erik R. Loy
Attorney for Defendant

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