

STATE OF WISCONSIN

CIRCUIT COURT

MANITOWOC COUNTY

STATE OF WISCONSIN,

Plaintiff,

vs.

CASE NO. 05 CF 381

STEVEN A. AVERY,

Defendant.

MANITOWOC COUNTY
STATE OF WISCONSIN
FILED

AUG 28 2006

ORDER CONCERNING PRETRIAL MOTIONS

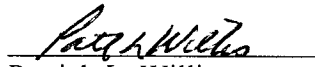
CLERK OF CIRCUIT COURT

For the reasons stated on the record on August 22, 2006, the Court hereby orders as follows:

1. The defendant's motion to dismiss on grounds the State has made the trial in Manitowoc County impossible is denied.
2. The defendant's motion to exclude Manitowoc County Sheriff's Department from testifying is denied.
3. The State's motion to admit statements of Teresa Halbach to co-workers is denied as it relates to statements of her state of mind. The Court reserves ruling on any such statements related to present sense impressions, which may be admissible as exceptions to the hearsay rule subject to proper foundation, relevance, and probative value.
4. The defendant's motion challenging the November 5, 2005 search warrant on the basis it was obtained as a result of intentionally false or reckless statements is denied.

Dated this 28th day of August, 2006.

BY THE COURT:


Patrick L. Willis,
Circuit Court Judge