

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

UNITED STATES OF AMERICA,
Plaintiff,

vs.

Case No. 16-10062-JTM

OMAR CANTERO MARTINEZ, and
ARMANDO SOTELO,
Defendants.

MEMORANDUM AND ORDER

Defendant Omar Cantero Martinez has moved in limine to exclude any reference to his immigration status. (Dkt. 25). The government's response states that it will not introduce evidence of that status, unless Martinez "invites such evidence—for example, by suggesting ... he is a lawful resident of the United States." (Dkt. 30, at 1). The government further adds the caveat that evidence of Martinez's Mexican nationality, as opposed to his immigration status, is relevant and admissible as explaining his motive for the alleged bias attack on the Somalis involved in the incident. The defendant has filed no reply objecting to such evidence.

IT IS ACCORDINGLY ORDERED this 7th day of September, 2016, that the defendant's Motion in Limine (Dkt. 25) is granted as provided herein.

s/ J. Thomas Marten
J. THOMAS MARTEN, Judge

