

**HON. LUKE BERGER**

Montana Fifth Judicial District Court  
Madison County  
110 W. Wallace St.  
P.O. Box 185  
Virginia City, MT 59755  
Tel: 406-843-4235

**MONTANA FIFTH JUDICIAL DISTRICT COURT  
MADISON COUNTY**

STATE OF MONTANA,  Plaintiff,  v.  JESSE MICHAEL BOYD, BETHANY GRACE BOYD, CARTER NORMAN PHILLIPS, ERIC ANTHONY TRENT,  Defendant(s).	Cause No(s). DC-29-2022-23 DC-29-2022-24 DC-29-2022-22 DC-29-2022-26  <b>ORDER ON STATE'S FIFTH MOTION IN LIMINE</b>
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BASED UPON the *Fifth Motion in Limine* (Ct. Doc. #58) filed by the State of Montana, the Defendants having failed to respond within the time allotted in Uniform District Court Rule 2(b), the *Fifth Motion in Limine* being deemed well taken pursuant to Uniform District Court Rule 2(c), and for good cause appearing, therefore:

IT IS HEREBY ORDERED that the State's *Fifth Motion in Limine* is GRANTED. The Defendants shall be precluded from asserting selective

prosecution, selective enforcement, and authority (citizen's arrest) as affirmative defenses at trial.

**\*ELECTRONICALLY SIGNED AND DATED BELOW\***