

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF KENTUCKY  
NORTHERN DIVISION  
COVINGTON**

**CRIMINAL ACTION NO. 11-70-DCR**

**UNITED STATES OF AMERICA**

**PLAINTIFF**

**V.            RESPONSE TO DEFENDANT’S MOTION TO EXCLUDE  
EVIDENCE OF A WITNESS’S RELIGIOUS BELIEFS OR OPINIONS**

**RONALD E. WEINLAND**

**DEFENDANT**

\* \* \* \* \*

Comes now the United States of America, by and through counsel, and responds to the Defendant’s Motion in Limine Excluding the Use of Evidence of a Witness’s Religious Beliefs or Opinions to Attack or Support a Witness’s Credibility. *See* R. 32: Defendant’s Motion in Limine Excluding Evidence of a Witness’s Religious Beliefs or Opinions.

The United States is well aware of the requirements of Federal Rule of Evidence 610. The United States does not intend to offer evidence of a witness’s religious beliefs or opinions to impeach or bolster his credibility pursuant to FED. R. EVID. 610. The United States does, however, seek to reserve the right to offer evidence of a witness’s religious beliefs or opinions for the purpose of showing his interest or bias because this use is not prohibited by Rule 610. *See* FED. R. EVID. 610 advisory committee’s note; *United States v. Teicher*, 987 F. 2d 112, 118 (2d Cir. 1993) (citing *United States v. Hoffman*, 806 F.2d 703, 708 (7th Cir. 1986)). Additionally, the United States seeks to

reserve the right to use a witness's religious beliefs or opinions for impeachment purposes if the witness offers evidence of his religious beliefs or opinions to support his credibility.

**WHEREFORE**, based on the foregoing, the United States respectfully submits the Defendant's motion should be denied as moot.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on May 25, 2012 the foregoing was electronically filed through the CM/ECF system, which will send notice of the filing to counsel of record.

s/ Christopher L. Nasson  
Assistant United States Attorney