IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT OF THE STATE OF FLORIDA IN AND FOR PASCO COUNTY 2014CF000216CFAXES-1

STATE OF FLORIDA

V.

CURTIS JUDSON REEVES

SUPPLEMENT NO. 2 TO STATE'S MOTION

IN LIMINE TO EXCLUDE THE TESTIMONY OF

VIVIAN REEVES REGARDING THE DEFENDANT'S

CHARACTER AND TO REQUIRE A PROFFER OF DEFENDANT'S

CHARACTER EVIDENCE OUTSIDE THE PRESENCE OF THE JURY

COMES NOW, BRUCE BARTLETT, State Attorney for the Sixth Judicial Circuit of Florida, by and through the undersigned Assistant State Attorney, files this Supplement No. 2 To The State's Motion In Limine To Exclude The Testimony of Vivian Reeves Regarding The Defendant's Character And TO Require A Proffer Of Defendant's Character Evidence Outside the Presence of the Jury and as good cause would show:

Supplement Case Authority

Louviere v. State, 306 So.3d 394 (Fla. 1st DCA 2020)

"Under the Florida Evidence Code, when evidence of a person's character is admissible, it may be proven by testimony about that person's reputation. See § 90.405(1), Fla. Stat. (2017). But before reputation evidence may be introduced, the party offering the testimony must show that the witness is aware of the person's general reputation in the community. See § 90.803(21), Fla. Stat. (2017) (establishing a hearsay exception for "[e]vidence of reputation of a person's character among associates or in the community"); Pitts v. State, 263 So. 3d 834, 840 (Fla. 1st DCA 2019) (affirming on preservation grounds the trial court's exclusion of evidence on the defendant's reputation for sexual non-violence because counsel never proffered evidence of a witness who could testify about that reputation). And "the community must be sufficiently broad to provide adequate knowledge and a reliable assessment." Ibar v. State, 938 So. 2d 451, 469 (Fla. 2006)." Id. 398

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing Supplement No. 2 To The State's Motion In Limine To Exclude The Testimony of

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Vivian Reeves Regarding The Defendant's Character And TO Require A Proffer Of Defendant's Character Evidence Outside the Presence of the Jury was furnished to Richard Escobar, Esq., Attorney for the Defendant, at 2917 West Kennedy Blvd., Suite 100, Tampa, FL 33609-3163, by U.S. Mail / Personal Service / Email: rescobar@escobarlaw.com this ______ day of November 2021.

BRUCE BARTLETT, State Attorney
Sixth <u>Judicial Circuit of Florida</u>

By:

Glenn L. Martin, Jr.
Assistant State Attorney
Bar No. 435988