**Motions List**

Directions: Use the following motions for Activity 2. Choose the order you like.

**Motion to Dismiss or Quash**

* This occurs when the defendant believes that the indictment or information is fatally flawed
* The court lacks jurisdiction
* The facts alleged do not amount to a crime
* An essential element is not charged
* The defendant has a legal defense such as double jeopardy
* If the court agrees with the defendant, prosecutors are oftentimes allowed to amend the charge instead of dismissing it
* Dismissing the charge does not mean the defendant cannot be recharged with it later

**Motion to Suppress**

* The purpose of this hearing is to determine if evidence was obtained in an unconstitutional manner or not
* If it is found that evidence was obtained in an unconstitutional manner then the motion to suppress is granted and the evidence is not allowed in trial
* Defendants may testify at this and their testimony may not be used against them at trial

**Motion for Change of Venue**

* A defendant may ask for the trial to be moved to another location if a defendant receives considerable negative media coverage

**Motion for Severance**

* Defendants may be tried together for the same crime
* The defense may be antagonistic which means the jury must disbelieve one to believe another
* In this situation, the defendant may want to file this motion to have his or her own trial to assure a fair trial

**Motion in Limine**

* This is a request that the court order the other party not to mention or attempt to question a witness about some matter
* This is similar to motion to suppress except that it can apply to more than illegally seized evidence

**Motion for a Protective Order**

* This can be filed if the prosecution fears that revealing information required under a discovery rule will endanger the case or a person’s life

**Motions for Continuance**

* Attorneys can request that hearings or the trial be delayed for various reasons including more time to prepare for the trial or gather witnesses

**Motion for Mental Examination**

* If defense counsel believes that the defendant is not competent to stand trial, they can request this

**Invoking the Rule**

* This is a request by either party to have all of the witnesses leave the courtroom unless they are in the process of testifying