

IN THE CIRCUIT COURT OF THE EIGHTH JUDICIAL CIRCUIT
IN AND FOR ALACHUA COUNTY, FLORIDA

State of Florida
Plaintiff,

Case Number: 01-2023-CF-003464-A

Division III

vs.

William W. Murphy III
Defendant.

MOTION IN LIMINE

COMES NOW the State, by and through the undersigned counsel, pursuant to the general powers of this Court to regulate the course of trial and rule inadmissible the following evidentiary matters in advance of trial. The State submits that this matter is unlikely to arise at trial, nevertheless, the interest of justice requires the exclusion in advance of trial in order that it not be inadvertently or deliberately raised at trial and in order that the trial of this cause before the jury will not be interrupted on account of the necessary consideration of this matter during the jury trial.

As grounds for this Motion the State would show as follows:

Evidence to be Excluded

The State seeks to exclude any testimony from witnesses, and any argument regarding rumors or claims that the victim was “touching” or “messaging with” the defendant’s minor [REDACTED] and that the defendant was advised to respond, or that the defendant shot the victim because of these rumors. The facts and circumstances leading to this motion are:

1. During preparation of this trial, two witnesses have made comments suggesting a possible motive for the defendant shooting the victim.
2. Both have provided some variation of the theory that [REDACTED] the victim’s girlfriend at the time of the shooting, and also the mother of one of the defendant’s children, was the catalyst by telling the defendant he that the victim was “touching” or “messaging with” the defendant’s minor [REDACTED] and suggesting that the defendant “do something” about it.
3. One witness, [REDACTED], stated that he had a conversation with [REDACTED] following the shooting where she stated something to the effect of “[defendant] thought [victim] was messing with [REDACTED] and was going to take her away ... so I told him to man up and do something about it ... to get rid of both of them.”
4. The second witness, [REDACTED], advised that she heard from another person, possibly “[REDACTED]” that the night of the shooting, [REDACTED] called the defendant and told him “to do something about it.” [REDACTED] opined the “it” referenced was something about the victim touching the defendant’s minor [REDACTED]. Of note, the “[REDACTED]” in question appeared non-verbal on body worn camera on the night of the shooting.
5. [REDACTED] was deposed following [REDACTED]’s testimony, and she was confronted with these statements. She denied the conversation took place, and further advised that it was only after the victim’s shooting that people started anything bad about the victim.

Grounds for Exclusion

The above claims should be excluded from trial for several reasons. First, the defendant would have to first admit to shooting the victim before these statements could even be considered relevant. Second, assuming the defendant chose to make such an admission, then the statements would only exist to inflame the passions of the jury and would serve as an invitation to jury nullification. Third, they are unreliable hearsay statements that have been refuted by the alleged proponent. Fourth, if argued that the statements would be brought in as impeachment of [REDACTED], the topic is collateral and so unfairly prejudicial as to warrant exclusion from impeachment. Finally, with no evidence to support the veracity of such claims, the statements would result in improper impeachment of the victim.

WHEREFORE, the State respectfully request that the Court grants its Motion excluding the above evidence from trial.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to Travis Koon Esquire, by Electronic Delivery on this 15th day of May, 2025.

Respectfully submitted,

Brian S. Kramer
State Attorney

s/ Ryan Nagel
Ryan Nagel
Assistant State Attorney
Florida Bar No.: 118355
120 West University Avenue
Gainesville, FL 32601
(352) 374-3670
E-service: eservice@sao8.org
E-mail: nagelr@sao8.org