

IN THE CIRCUIT COURT OF MAYCOMB COUNTY, ALABAMA

STATE OF ALABAMA,

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v.

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Case No. CC-00-0000

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JOE CLIENT.

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**MOTION TO INCORPORATE ALL FEDERAL AND STATE  
CONSTITUTIONAL GROUNDS IN SUPPORT OF ALL MOTIONS  
AND OBJECTIONS MADE IN THESE PROCEEDINGS**

Joe Client respectfully moves this Court to incorporate the following points and authorities in support of all motions, objections, exceptions, and requests made in the proceedings of this case.

1. Counsel seeks permission to make every objection and motion satisfy state and federal appeal requirements by incorporating by reference all relevant authorities listed in this motion.

2. To save this Court's time during trial, to not frustrate the jury during needless record-making sidebars for objections, and to not unduly interrupt opposing counsel's presentation of his or her case, undersigned counsel requests that this Court grant her permission to incorporate into each of her constitutional objections all of the grounds cited below, in lieu of citing every ground for each objection when it is made during these proceedings.

3. With regard to all motions, objections, exceptions, and requests made in the proceedings of this case, Mr. Client relies upon the Fourth, Fifth, Sixth, Eighth, and Fourteenth Amendments to the United States Constitution. See, e.g., McWilliams v. Dunn, 137 S. Ct. 1790 (2017); Moore v. Texas, 137 S. Ct. 1039 (2017); Miller v. Alabama, 567 U.S. 460 (2012); Miller-El v. Dretke, 545 U.S. 231 (2005); Hurst v. Florida, 136 S. Ct. 616 (2016); Brumfield v. Cain, 135 S. Ct. 2269 (2015); Hall v. Florida, 134 S. Ct. 1986 (2014); Hinton v. Alabama, 134 S. Ct. 1081 (2014) (per curiam); J.D.B. v. North Carolina, 564 U.S. 261 (2011); Sears v. Upton, 561 U.S. 945 (2010) (per curiam); Graham v. Florida, 560 U.S. 48 (2010); Porter v. McCollum, 558 U.S. 30 (2009) (per curiam); Melendez-Diaz v. Massachusetts, 557 U.S. 305 (2009); Snyder v. Louisiana, 552 U.S. 472 (2008); Kennedy v. Louisiana, 554 U.S. 407 (2008); Panetti v. Quarterman, 551 U.S. 930 (2007); Brewer v. Quarterman, 550 U.S. 286 (2007); Abdul-Kabir v. Quarterman, 550 U.S. 233 (2007); Holmes v. South Carolina, 547 U.S. 319 (2006); Rompilla v. Beard, 545 U.S. 374 (2005); Roper v.

Simmons, 543 U.S. 551 (2005); Shepard v. United States, 544 U.S. 13 (2005); United States v. Booker, 543 U.S. 220 (2005); Fellers v. United States, 540 U.S. 519 (2004); Crawford v. Washington, 541 U.S. 36 (2004); Smith v. Texas, 543 U.S. 37 (2004) (per curiam); Groh v. Ramirez, 540 U.S. 551 (2004); Kelly v. South Carolina, 534 U.S. 246 (2002); Atkins v. Virginia, 536 U.S. 304 (2002); Ring v. Arizona, 536 U.S. 584 (2002); Shafer v. South Carolina, 532 U.S. 36 (2001); Penry v. Johnson, 532 U.S. 782 (2001); Apprendi v. New Jersey, 530 U.S. 466 (2000); Lilly v. Virginia, 527 U.S. 116 (1999); Cooper v. Oklahoma, 517 U.S. 348 (1996); Kyles v. Whitley, 514 U.S. 419 (1995); Simmons v. South Carolina, 512 U.S. 154 (1994); J.E.B. v. Alabama, 511 U.S. 127 (1994); Morgan v. Illinois, 504 U.S. 719 (1992); Espinosa v. Florida, 505 U.S. 1079 (1992) (per curiam); Parker v. Dugger, 498 U.S. 308 (1991); Powers v. Ohio, 499 U.S. 400 (1991); McKoy v. North Carolina, 494 U.S. 433 (1990); Maynard v. Cartwright, 486 U.S. 356 (1988); Ross v. Oklahoma, 487 U.S. 81 (1988); Johnson v. Mississippi, 486 U.S. 578 (1988); Mills v. Maryland, 486 U.S. 367 (1988); Booth v. Maryland, 482 U.S. 496 (1987); Hitchcock v. Dugger, 481 U.S. 393 (1987); Gray v. Mississippi, 481 U.S. 648 (1987); Batson v. Kentucky, 476 U.S. 79 (1986); Turner v. Murray, 476 U.S. 28 (1986); Caldwell v. Mississippi, 472 U.S. 320 (1985); Francis v. Franklin, 471 U.S. 307 (1985); Enmund v. Florida, 458 U.S. 782 (1982); Eddings v. Oklahoma, 455 U.S. 104 (1982); Godfrey v. Georgia, 446 U.S. 420 (1980); Beck v. Alabama, 447 U.S. 625 (1980); Duren v. Missouri, 439 U.S. 357 (1979); Green v. Georgia, 442 U.S. 95 (1979) (per curiam); Lockett v. Ohio, 438 U.S. 586 (1978); Bell v. Ohio, 438 U.S. 637 (1978); Gardner v. Florida, 430 U.S. 349 (1977); Castaneda v. Partida, 430 U.S. 482 (1977); Woodson v. North Carolina, 428 U.S. 280 (1976); Proffitt v. Florida, 428 U.S. 242 (1976); Gregg v. Georgia, 428 U.S. 153 (1976); Taylor v. Louisiana, 419 U.S. 522 (1975); Furman v. Georgia, 408 U.S. 238 (1972) (per curiam); Witherspoon v. Illinois, 391 U.S. 510 (1968); Sheppard v. Maxwell, 384 U.S. 333 (1966); and Irvin v. Dowd, 366 U.S. 717 (1961).

4. With regard to all motions, objections, exceptions, and requests made in the proceedings of this case, Mr. Client also relies upon Sections 1, 5, 6, 7, 8, 9, 11, 13, 15, and 16 of article I of the Alabama Constitution; sections 13A-5-53 through 13A-5-55 of the Code of Alabama of 1975; and other applicable laws of Alabama and the United States.

5. Mr. Client asserts all applicable grounds with regard to each and every motion, objection, exception, and request made in the trial of this case. He does not waive any ground.

6. Mr. Client also continues to assert all of those grounds already asserted in pleadings previously filed with this Court. He asserts a continuing objection through trial with regard to all matters upon which the Court has ruled adversely to him in response to pretrial motions.

For these reasons, Mr. Client requests that this Court incorporate all federal and state constitutional grounds in support of all motions, objections, exceptions, and requests made in the proceedings of this case.

Respectfully submitted,

/s/ Linda Lawyer

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[CERTIFICATE OF SERVICE]

**[MOTION UPDATED ON 10/03/17]**