



UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
 vs.) Criminal No.:
) 92-10369-Z
ALFRED W. TRENKLER)

DEFENDANT'S MOTION TO PRECLUDE
THOMAS WASKOM FROM DEMONSTRATING
THE MANNER IN WHICH THE 1991 BOMB WAS
DESIGNED TO EXPLODE

Now comes defendant, Alfred Trenkler, and respectfully moves that this Court preclude the government's expert, Thomas Waskom, from demonstrating the manner in which the 1991 bomb was designed to explode.

In support of this motion, defendant states there will be no evidence as to how or why the 1991 bomb exploded. Thus, to permit Thomas Waskom to demonstrate the manner in which the 1991 bomb was designed to explode when there will be no evidence that the bomb did in fact detonate in the manner demonstrated will permit the jury to infer facts that will not be in evidence. Specifically, it will permit the jury to infer that someone was standing in the vicinity of 39 Eastbourne Street at the time of the explosion and detonated the bomb by remote control. Since there will be no evidence submitted on this point, the government's expert should not be permitted to make this demonstration.

WHEREFORE, defendant requests this Court preclude the government's expert from demonstrating the manner in which the 1991 bomb was designed to explode.

Respectfully submitted,
For the Defendant,
ALFRED W. TRENKLER,
By his attorneys,

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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon the attorney of record for each party by mail on October 25, 1993.

Scott P. Lopez