

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

UNITED STATES OF AMERICA,

v.

TIANDRE SNEED

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NO. 3:14-00159

Judge Marvin E. Aspen

**DEFENDANT TIANDRE SNEED’S MOTION *IN LIMINE* #5
TO EXCLUDE IRRELEVANT AND IMMATERIAL YOUTUBE RAP VIDEO**

The Defendant, Tiandre Sneed, moves this Honorable Court to prohibit the government from discussing, referring to, or otherwise placing before the jury youtube rap video titled “4ThARightPrice”, which appears to depict Defendant Sneed and others performing a rap video depicting violence and gang activity.

In support of this motion, Mr. Sneed would state that the government has provided a link to the video in discovery and agent notes regarding the video.

The youtube rap video is contains irrelevant, immaterial and inadmissible statements depicting violence and illegal activity. Fed. R. Evid. , 401 and 403. The video is irrelevant to the allegations charged in the indictment. Even if the government successfully argues some relevance of the video “the probative value would be substantially outweighed by the danger of unfair prejudice, confusion of the issues, misleading the jury.” Fed. R. Evid. 403. The video has no probative value as to the allegations against Defendant Sneed and is heavily prejudicial. See *U.S. v. Gamory*, 635 F.3d 480, 493 (11th Cir. 2011) (lyrics presented a substantial danger of unfair prejudice because they contained violence, profanity, sex, promiscuity, and misogyny and could reasonably be understood as promoting a violent and unlawful lifestyle. At the same time, the video was not clearly probative of Defendant’s guilt).

For these reasons, Defendant Sneed moves this Court to prohibit the government from discussing, referring to, or otherwise placing before the jury the youtube rap video titled “4ThARightPrice”.

Respectfully submitted this 1st day of July, 2016.

s/ Charles D. Buckholts
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CERTIFICATE OF SERVICE

I hereby certify that on this 1st of July, 2016, a copy of the foregoing Motion was electronically filed. Notice of this filing will be sent by operation of the Court’s electronic filing system to all parties indicated on the electronic filing receipt, namely Attorneys of Record, John Benjamin Schrader, Assistant United States Attorneys and Sumter L. Camp, Attorney for Derevous Benford. Parties may access this filing through the Court’s electronic filing system.

s/ Charles D. Buckholts