

IN THE CIRCUIT COURT OF THE
EIGHTEENTH JUDICIAL CIRCUIT
IN AND FOR BREVARD COUNTY,
FLORIDA.

STATE OF FLORIDA,

Plaintiff,

CASE NO.: 05-2015-CF-039871-AXXX-XX

vs.

DANA LYNN LOYD

Defendant.

**MOTION IN LIMINE TO EXCLUDE THE ALLEGED VICTIM
[REDACTED]'S TIMELINE OF EVENTS**

COMES NOW, the Defendant, **DANA LYNN LOYD**, by and through her undersigned attorney and respectfully moves this Honorable Court to enter an Order in Limine preventing the State Attorney or any State witness(es) from offering evidence of a timeline produced to the Brevard County Sheriff's Office created by the alleged victim [REDACTED] and as grounds therefore would state as follows:

1. The Defendant, **DANA LYNN LOYD** was arrested and is being prosecuted for one count of Making a False Report of Child Abuse, Abandonment or Neglect.
2. The Defendant **DANA LYNN LOYD** has been charged under Florida Statute 39.205(9) which states

"A person who knowingly and willfully makes a false report of child abuse, abandonment, or neglect, or who advises another to make a false report, is guilty of a felony of the third degree, punishable as provided in s. 775.082 or s. 775.083. Anyone making a report who is acting in good faith is immune from any liability under this subsection."

3. The State has yet to file on the cyberstalking charge that the Defendant was arrested on simultaneously.

4. Defense Counsel believes that the State intends to offer evidence of a timeline created for Agent Fischer by the alleged victim [REDACTED] (See *Exhibit A*)

5. Any information contained in the alleged victim [REDACTED] timeline was made specifically for Agent Fischer and not at the time it actually occurred and as such should be considered hearsay and excluded.

6. To bring in any evidence regarding the timeline of [REDACTED] would not only be hearsay but would be improper and highly prejudicial pursuant to Sections 90.801, 90.403 and 90.404 of the Florida Evidence Code.

WHEREFORE, based on the above and foregoing, the Defendant DANA LYNN LOYD, requests this Honorable Court to enter an Order prohibiting the State of Florida from bringing in any and all evidence of a timeline produced to the Brevard County Sheriff's Office by the alleged victim [REDACTED] or otherwise referring to in any way these alleged facts in trial of this cause.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument was forwarded via U.S. EMail to: Brevfelony@sa18.state.fl.us this 8th day of November, 2016.

Respectfully,

/s/ JESSICA BURGESS, ESO. /s/
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emailed
timeline

Timeline for Agent Fischer

1/18/14 post on bbn

2/2/14 Visit from DCF and Sheriff based on picture on facebook and that [redacted] is unhealthy. Dana posts on her blog that she is the one that called DCF.

<http://brevardsbestnews.com/?p=2100>

3/28/15 post on bbn, originally from 2013

4/17/15 post on bbn with my picture and police report from nc

4/17/15 I received a call from Scotty Armstrong, director of coaching at space coast soccer 321-693-3739, where I am a volunteer soccer coach explaining that he received a call from Dana Delaney(Lloyd). She told him I am a child pornographer. Scotty then called Kevin Murtha, VP of league and attorney, 321-482-8277. I was removed from coaching until they did another background check on me and cleared me a week later.

4/30/15 I met with DCF agent O'neil Brooks about a call they received recently on behalf of [redacted]. It was stated that she was unhealthy, unfed, etc. same things as before.

5/19/15 Order allowing me to move to Boulder

(303) 775-0588

5/19/15 Jay Molitor, VP of hotel in Boulder, received a call from Dana Lloyd. She identified herself and he called her back. He texted me to let me know he received a call

5/12/15 DCF comes to the house based on a call the night before, which is based on the mothers facetime call from 6/11/15

6/22/15 Received email from Dana Lloyd stating she is writing another article about the case, email below:

Good afternoon Sirs,

I am in th process of releasing the next phase of article on [redacted], and Brevard County Court system.

Exhibit A

I am under the impression that [REDACTED], [REDACTED]'s biological mother is still under a gag order, can that be confirmed?

I have some questions for the father, [REDACTED] if he would be interested.

My goal would be to have article ready to go this week, so a confirmation would be greatly appreciated, with advisement of who to send questions to regarding [REDACTED].

I asked her where she obtained my email from, she stated her PI.

6/24/15 Article published on BBN.