

IN THE DISTRICT COURT OF LOVE COUNTY
STATE OF OKLAHOMA

State of Oklahoma,)	Case No. CF-2016-194
Plaintiff,)	Filed in District Court
vs.)	Love County, OK
Marion Joe Russell,)	AUG 23 2016
Defendant.)	Kim Jackson, Court Clerk
		By _____ Deputy

State of Oklahoma, <i>ex. rel.</i>)	Case No. CV-2016-23
The Fifteenth Oklahoma)	
Multi-County Grand Jury,)	
Plaintiff,)	
vs.)	
Marion Joe Russell,)	
Defendant.)	

**MOTION TO USE
POWERPOINT PRESENTATION**

Comes now the defendant, Marion Joe Russell, and respectfully moves this court to allow the use of a PowerPoint presentation during closing argument.

Current computer technology provides the ability to project informational slides onto monitors for viewing by a number of persons. The defense intends to use such technology in this case during closing argument.

In *Four-County Electric Power Assn. v. Clardy*, 221 Miss. 403, 73 So. 2d 144, 1954 Miss. LEXIS 549, 44 A.L.R.2d 1191 (1954), the Supreme Court of Mississippi reasoned as follows:

“Plaintiff’s counsel has a right to state his case orally and to outline the evidence by which he expects to sustain it. He would have a right to state orally and in detail what damages he expected to prove, and he would have the right to take a pencil, list those items of damages, and show that sheet of paper to the jury in the opening statement and arguments. So we cannot see any reason why counsel should be denied the equivalent right to prepare in advance a chart outlining what he expects to prove, and to use it in the opening statement and in the arguments.”

“A proper latitude must be granted counsel in arguing the cause, under the oversight and in the sound discretion of the trial court.”


“This is a day of illustrations, in recognition of the fact that the eye may often be a better medium of enlightening the mind than the ear. Counsel, within the record, should be allowed the best lawful means of bringing the jury to a correct understanding of the cause.”

“The learned trial judge observed in his opinion on the motion for new trial that ‘attorneys in his court have been using charts and blackboards in opening statements and arguments for a long time.’ When so limited for those purposes, we think that they are permissible aids to setting forth clearly the positions of the litigants.”

WHEREFORE the defense respectfully requests this motion to use PowerPoint presentation during closing argument be GRANTED.

DATED this 22 August 2016.

Respectfully submitted,



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CERTIFICATE OF MAILING

I certify that a true and correct copy of the motion to use PowerPoint presentation was mailed this 22 August 2016, by electronic mail to the following:

Kathryn R. Savage, Assistant Attorney General, at Kathryn.Savage@oag.ok.gov;
Sean K. Hill, Assistant Attorney General, at Sean.Hill@oag.ok.gov;
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Gary R. Brown