

STATE v. RAUSCH

1. At trial, defendant Merle Rausch plans to offer evidence regarding sanctions imposed by the Red Apple Tavern on female patrons who caused injuries to fellow patrons or others outside the tavern. Defendant Rausch alleges that this evidence will demonstrate that the Red Apple Tavern more often than not discriminates against male patrons by excluding them from the Tavern when they (males) have been involved in fistcuffs outside the Tavern. Female patrons who have been involved in similar altercations, he alleges, have never been excluded from the Tavern.
2. At trial, defendant Merle Rausch plans to offer expert testimony that men over thirty years of age, more than six feet two inches tall, and raised in the State of NITA are more likely to initiate with shorter men of the same age.
3. At trial, the State (Prosecutor) plans to offer expert testimony that men over thirty years of age, less than five feet eight inches tall, and raised in the State of NITA are less likely to use a firearm (gun) to initiate a fight.
4. At trial, during the **cross examination** of patrolman Thomas Connor, defendant Merle Rausch plans to ask the patrolman whether he failed to include in his report that Fred Martin heard a second shot (about the same time as the first) from the roof of the Red Apple Tavern and that the police found a shell casing from a 9MM revolver on the roof of the Tavern.
5. At trial, during the **cross examination** of patrolman Thomas Connor, defendant Merle Rausch plans to ask the patrolman whether he failed to include in his report that the police found a pair of "*brass knuckles*" with blood all over them on the roof of the Tavern.