

PULL

FILED
COURT OF COMMON PLEAS
MAY 20 2019
JILL FANKHAUSER, Clerk
PORTAGE COUNTY, OH

IN THE COURT OF COMMON PLEAS
PORTAGE COUNTY, OHIO

STATE OF OHIO,)	CASE NO. 2018 CR 1220
)	
Plaintiff,)	
)	JUDGE BECKY L. DOHERTY
v.)	
)	
MATTHEW GUSKA)	
)	<u>MOTION TO EXCLUDE</u>
Defendant)	<u>MEDIA FROM TRIAL WITH</u>
)	<u>BRIEF ATTACHED</u>
)	

Now comes Defendant, Matthew Guska, by and through counsel Bruce D. Taubman, and respectfully asks this honorable Court for an order to exclude media from the courtroom during the Trial scheduled on May 21st for the reasons stated in the attached brief made a part hereof.

Respectfully Submitted,

/s/ Bruce D. Taubman
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Attorney for Plaintiff

BRIEF

The defendant is well known throughout Kent State University, specifically the media relations department, including but not limited to KSU Channel 2 and the Record Courier for a civil lawsuit in which he was the Plaintiff and Kent State was the Defendant. The lawsuit stemmed from unfounded allegations Kent State University owned media printed about the Defendant, Matthew Guska. As a result of that lawsuit which ultimately was dismissed without prejudice the local media is actively reporting on the above captioned criminal matter.

The presence of the media in the Courtroom during this trial will taint and prejudice the jury which already will need specific voir dire questions as it relates to the Civil Lawsuit and their knowledge of it. Further, the presence of the Media with video cameras will ultimately cause the jury to be further prejudiced before defendant even has an opportunity to be heard, due to the idea that this is a "high profile case". Finally, the media can report about the case without the need of videos or cameras in the Courtroom. This motion does not restrict their first amendment right but protects the constitutional rights of the Defendant.

Therefore, for good cause shown the use of video cameras and cameras should be excluded from the Court room.

CERTIFICATE OF SERVICE

A copy of the foregoing motion has been served, via electronic mail and/or regular U.S. mail, today May 15th, 2019 to the prosecuting attorney for Portage County at prosecutor@portageco.com.

/s/ Bruce D. Taubman
Bruce D. Taubman (0001410)
Attorney for Plaintiff