

Common Pretrial Motions

Discovery Motions ([Quick Reference Guide](#))

To Compel Production, [MCR 6.201\(A\)-\(B\)](#)

To Discover Privileged Information, [MCR 6.201\(C\)](#); *People v Stanaway*, 446 Mich 643 (1994)

For Sanctions/Remedies for Discovery Violations, [MCR 6.201\(J\)](#)

Dispositive Motions

Constitutional Challenges to Charging Statutes

1st Amendment, e.g. *Counterman v Colorado*, 600 US 66 (2023)

2nd Amendment, e.g. *United States v Rahimi*, 602 US 680 (2024)

Ex Post Facto Violations, e.g. *People v Betts*, 507 Mich 527 (2021)

Double Jeopardy and Collateral Estoppel, e.g. *People v McKewen*, 516 Mich 23 (2024);
Ashe v Swenson, 397 US 436, 443-444 (1970); *People v Gates*, 434 Mich 146, 154 (1990)

Due Process

Prosecutorial Misconduct or Vindictiveness, e.g. *United States v Goodwin*, 457 US 368, 372 (1982)

Brady/Youngblood and Similar Failures to Disclose Information, *Brady v Maryland*, 373 US 83 (1963); *Arizona v Youngblood*, 488 US 51 (1988)

Entrapment, *Jacobson v United States*, 503 US 540 (1992)

Motions to Quash the Information/Bindover, e.g. *People v Fairey*, 325 Mich App 645 (2018);
People v Anderson, 501 Mich 175 (2018)

Pretrial Delays ([Quick Reference Guide](#))

Statute of Limitations, [MCL 767.24](#)

Pre-Charge/Pre-Arrest Delay, US Const, Am XIV; Const 1963, art 1, § 17

Speedy Trial, US Const, Am XI; Const 1963, art 1, § 20; [MCR 6.004](#)

Statutory 180-Day Rule, [MCL 780.131](#), *et seq*

Statutory Defenses, e.g. [MCL 333.7404](#) (Good Samaritan Law)

Suppression Motions

Search and Seizure ([Quick Reference Guide](#), [Flow Chart](#), [Guide to Litigating Search Warrant Challenges](#))

Confessions ([Training Slides](#))

Eyewitness Identification ([Practice Guide](#))

Evidentiary Issues

Daubert Challenges to Scientific, Technical Evidence ([Daubert 101](#), [Daubert Litigation](#))

Other Acts Evidence ([Training Slides](#))

Admissibility of Hearsay ([Training Materials](#))

Witness Issues ([Practice Guide for Lay Witnesses](#); [Practice Guide for Expert Witnesses](#))

Jury Instructions ([Quick Reference Guide](#))

Additional Motions to Keep in Mind

Bond Conditions Modification/Reconsideration ([Quick Reference Guide](#))

Severance and Joinder, [MCR 6.120](#); [MCR 6.121](#)

Scope and Right to Attorney-Led *Voir Dire* ([Practice Guide](#))