

STATE OF ILLINOIS)
)
 COUNTY OF McHENRY)

IN THE CIRCUIT COURT OF THE 22ND JUDICIAL CIRCUIT
 McHENRY COUNTY, ILLINOIS

PEOPLE OF THE STATE OF ILLINOIS)
)
 vs.) Case No.: 20CM001338
)
 MICHAEL M PENKAVA)

PEOPLE'S AMENDED MOTION IN LIMINE TO ADMIT STATEMENTS OF ELOINA HERNANDEZ

NOW COME the People of the State of Illinois, by their attorney, **PATRICK D. KENNEALLY**, State's Attorney for McHenry County, Illinois, through one of his duly appointed Assistants, **ASHUR Y. YOUASH**, and moves this Honorable Court for a pretrial ruling regarding the admissibility of the testimony of Ms. Eloina Hernandez, and in support thereof states as follows:

1. That the above captioned case is scheduled for hearing on People's Motion *in Limine* to admit statements of Ms. Eloina Hernandez on January 28, 2022 and a bench trial on March 2, 2022.
2. That on December 23, 2021, the court granted the People until December 28, 2021 to file an amended Motion *in Limine* and granted the Defendant until January 4, 2022 to respond.
3. That the People seek additional time to January 7, 2022 to brief and amend its motion, allowing the People time to review a transcript of the hearing held on December 17, 2021.
4. The People have been advised by Court Services a transcript of the December 17, 2021 hearing would be available at the beginning of the week of January 3, 2022.
5. That the People would agree to allow the Defendant up to two weeks - to January 21, 2022 - to respond after review of the People's Second Amended Motion *in Limine*.
6. That the People make this request not to cause delay and would be prepared for hearing on January 28, 2022 as previously set.

WHEREFORE, the People request that this court grant it until January 7, 2022 to file a Second Amended People's Motion *in limine* regarding the admissibility of statements made by Ms. Eloina Hernandez at trial.

Respectfully submitted,

/s/ Ashur Y. Youash

ASHUR Y. YOUASH
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