## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA Richmond Division

THE NATIONAL FEDERATION OF THE BLIND OF VIRGINIA, et al.,

Plaintiffs,

Case No. 3:23-cv-127-HEH

v.

VIRGINIA DEPARTMENT OF CORRECTIONS, et al.,

Defendants.

## PLAINTIFFS' MOTION IN LIMINE TO PERMIT THE INCARCERATED PLAINTIFFS AND WITNESSES TO WEAR CIVILIAN CLOTHES AT TRIAL

Plaintiffs, by and through undersigned counsel, hereby move this Court to permit the incarcerated Plaintiffs and any incarcerated witnesses they call to appear before the jury in civilian clothes and without visible shackles to ensure their Due Process rights to a fair trial. The grounds for requesting this relief are set forth in the accompanying Memorandum.

Dated: May 6, 2024 Respectfully submitted,

## /s/ Samantha Westrum

Samantha Westrum (VSB No. 98453) Vishal Agraharkar (VSB No. 93265) American Civil Liberties Union of Virginia 701 E. Franklin Street, Suite 1412 Richmond, Virginia 23219 (804) 519-5366 swestrum@acluva.org vagraharkar@acluva.org

Eve L. Hill (VSB No. 96799)
Monica R. Basche (pro hac vice)
Jacqueline Cadman (pro hac vice)
Jamie Strawbridge (pro hac vice)
Jessica P. Weber (pro hac vice)
Brown, Goldstein & Levy, LLP
120 E. Baltimore Street, Suite 2500
Baltimore, Maryland 21202
(410) 962-1030
ehill@browngold.com
mbasche@browngold.com
jcadman@browngold.com
jstrawbridge@browngold.com
jweber@browngold.com

Rebecca Herbig (VSB No. 65548) disAbility Law Center of Virginia 1512 Willow Lawn Drive, Suite 100 Richmond, Virginia 23230 (204) 255-2042 Rebecca.Herbig@dlcv.org

## **CERTIFICATE OF SERVICE**

I hereby certify that on this 6th day of May 2024, I filed the foregoing electronically with the Clerk of the Court using the CM/ECF system, which will send a notification of such filing ("NEF") to the following:

Ann-Marie C. White Rene (VSB No. 91166)
Timothy E. Davis (VSB No. 87448)
Andrew R. Page (VSB No. 80776)
Assistant Attorneys General
Office of the Virginia Attorney General
202 North 9th Street
Richmond, VA 23219
Telephone: (804) 786-0030
arene@oag.state.va.us
tdavis@oag.state.va.us
arpage@oag.state.va.us

Counsel for Defendant Virginia Department of Corrections

I hereby certify that I will mail the foregoing document by U.S. Mail and electronic mail to the following non-filing user:

Armor Correctional Health Inc. c/o Registered Agent CT CORPORATION SYSTEM 4701 Cox Rd Ste 285 Glen Allen, VA 23060-6808

Pro Se Defendant

/s/ Samantha Westrum
Samantha Westrum (VSB No. 98453)