

# Justices To Decide If Defendants Can Invite Barred Evidence

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Carlton Fields Shareholder and former New York federal prosecutor Michael Yaeger was quoted in a *Law360* article, "Justices To Decide If Defendants Can Invite Barred Evidence," discussing a Supreme Court case that asks if defendants can create an opening for evidence that would normally be barred by the Sixth Amendment. Yaeger comments that the case, in which the defendant identified another individual as the true triggerman, establishes the importance of testimonial evidence, including the right to confront witnesses in criminal cases. "This is a key theory of the case," said Yaeger. "Then all of the sudden the prosecution is putting in this allocution, and he doesn't have the opportunity to cross the guy who said it and point out all of the reasons why he had an incentive to agree to things to minimize his exposure." [Read the article.](#) (Subscription may be required).

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Michael L. Yaeger

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