

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT  
IN AND FOR PALM BEACH COUNTY, FLORIDA  
CRIMINAL DIVISION "X"

STATE OF FLORIDA

CASE # 2016CF005507AMB

v.

NOUMAN KHAN RAJA,

Defendant.

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**STATE'S OBJECTION TO DEFENDANT'S MOTION TO CHANGE VENUE**

COMES NOW the State of Florida, by and through the undersigned Assistant State Attorney, and files this Objection to Defendant Nouman Raja's Motion to Change Venue. The grounds are set forth below and can be supplemented through argument ore tenus:

1. The State disagrees with the base assertions made in the motion directed at the State, including "prosecutors' improper, unsubstantiated opinions that Officer Raja was lying . . . ." The State has made assertions based upon fact; the fact that the Defendant did lie.
2. The Court has the clear ability to withhold the determination of this motion until an attempt is made to seat an impartial jury. *Manning v. State*, 378 So.2d 274 (Fla. 1979); *Murphy v. Florida*, 421 U.S. 794 (1975).
3. Publicity alone does not establish the need for a change of venue. *Rolling v. State*, 695 So.2d 278 (Fla. 1997). The media coverage provided by the defense does not indicate that the entire community is biased against the Defendant, the size of Palm Beach County militates against a change of venue, and the State is confident that, when the actual jury selection is conducted, a fair and impartial jury will be seated.

4. The State's understanding through discussion of this motion in open court is that this Honorable Court intends to make such attempt beginning this week.
5. The State merely wishes to preserve the objection to any change of venue at this time as being premature until the issue becomes ripe.

Wherefore, the State objects to the Defendant's Motion to Change Venue.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy hereof has been furnished to the following counsel of record by E-service this 18th day of February, 2019.

Richard Lubin  
rich@lubinlaw.com  
1217 S. Flagler Drive  
Second Floor  
WPB, FL 33401

Scott Richardson  
snr@scottnrichardsonlaw.com  
1401 Forum Way, Suite 720  
WPB, FL 33401

Ralph King, III  
Rickk@pbcpba.org  
2100 N. Florida Mango Dr.  
WPB, FL 33409

Respectfully submitted,

DAVID ARONBERG  
STATE ATTORNEY

/s/ 

By: BRIAN L FERNANDES  
Assistant State Attorney  
Florida Bar No. 186295  
E-Service E-Mail: FELDIVX@SA15.ORG