

**UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT**

**Form 16. Circuit Rule 27-3 Certificate for Emergency Motion**

*Instructions for this form: <http://www.ca9.uscourts.gov/forms/form16instructions.pdf>*

**9th Cir. Case Number(s)**

**Case Name**

United States v. Mei Xing

I certify the following:

The relief I request in the emergency motion that accompanies this certificate is:

An an order excluding all evidence, argument, and cross-examination concerning Victims' sexual behavior or predisposition, including any mention of commercial sex acts aside from those resulting from Defendant's trafficking.

Relief is needed no later than *(date)*: May 30, 2023

The following will happen if relief is not granted within the requested time:

The district court will allow evidence in of Victims' alleged prior commercial sex work through hearsay statements made in police reports and statements made in Victim's immigration applications. This evidence is irrelevant to this case and will serve only to bias the jury against Victims, confuse the issues at trial, and re-traumatize Victims by forcing them to testify about their alleged past commercial sex acts.

I could not have filed this motion earlier because:

The district court issued its ruling to permit this evidence on May 23, 2023.

*Feedback or questions about this form? Email us at [forms@ca9.uscourts.gov](mailto:forms@ca9.uscourts.gov)*

I requested this relief in the district court or other lower court:  Yes  No

If not, why not:

I notified 9th Circuit court staff via voicemail or email about the filing of this motion:  Yes  No

If not, why not:

I have notified all counsel and any unrepresented party of the filing of this motion:

On *(date)*:

By *(method)*:

Position of other parties:

Name and best contact information for each counsel/party notified:

Counsel for Defendant - Neha A. Christerna (neha\_christerna@fd.org);  
Callie Steele (calliesteelesq@gmail.com)

Office of US Attorney - Damaris M Diaz (damaris.diaz@usdoj.gov);  
Scott Michael Lara (scott.lara@usdoj.gov)

I declare under penalty of perjury that the foregoing is true.

**Signature**

**Date**

*(use "s/[typed name]" to sign electronically-filed documents)*

*Feedback or questions about this form? Email us at [forms@ca9.uscourts.gov](mailto:forms@ca9.uscourts.gov)*