

NORTH CAROLINA
GUILFORD COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
FILE NO. 97CRS-39580

STATE OF NORTH CAROLINA)

VS.)

RONNIE LEE KIMBLE,)
DEFENDANT.)

PROPOSED MITIGATING
FACTORS

NOW COMES the defendant above-named, through counsel, and submits the following mitigating factors as shown by the evidence in this case and asks the court to instruct peremptorily on each one.

1. Statutory mitigating factor (f) (1): Ronnie Kimble has no significant history of prior criminal activity.

2. Statutory Mitigating Factor (f) (5): Ronnie Kimble acted under the domination of his brother Ted.

3. Statutory Mitigating Factor (f) (7): Ronnie Kimble's age at the time he committed this crime was 23 and that is a mitigating factor.

4. Ronnie Kimble served his country as a corporal in the United States Marine Corps and was an excellent marine.

5. Ronnie Kimble taught Sunday school at his father's church on Monet Road and was a positive influence on younger children in the church.

6. Ronnie Kimble showed initiative in his youth by starting his own lawn care business.

7. Ronnie Kimble showed diligence as a good and hard worker from an early age.

8. Ronnie Kimble did a good job in the chaplain's office in the marine corps.

9. Ronnie Kimble was responsible for James Dziadaszek quitting drinking and becoming more active in the church.

10. Ronnie Kimble was deprived of an active and normal father in his early formative years due to his father's alcoholism and absence from the home.

11. Ronnie Kimble had learning problems and was placed in learning disabled classes in school. (His parents)

12. Ronnie Kimble's mother was 18 and his father 20 when he was born and their youth made his upbringing not as effective as it would have been had his parents been older and more mature.

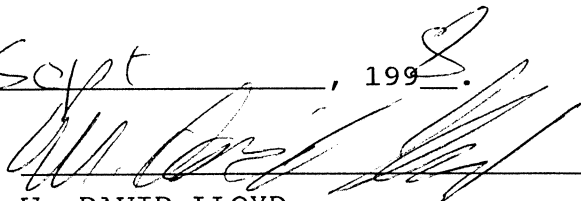
13. Ronnie Kimble was an active and willing participant in his church.

14. Ronnie Kimble was honest in his work dealings with those he worked for.

ALSO CRACKALL

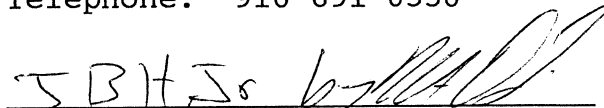
WHEREFORE, the defendant respectfully prays the
Court to so instruct.

This the 3 day of Sept, 1998.



W. DAVID LLOYD
ATTORNEY FOR THE DEFENDANT

101 South Elm St.
Greensboro, N.C. 27401
Telephone: 910-691-0550



JOHN B. HATFIELD, Jr.,
ATTORNEY FOR THE DEFENDANT

219 W. Washington Street
Greensboro, NC 27401