

*Argue*

FILED

NORTH CAROLINA  
GUILFORD COUNTY

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION  
FILE NO. 97CRS-39580  
1998 JAN 22 PM 1:56  
GUILFORD COUNTY, C.S.C.

BY *JSR*

STATE OF NORTH CAROLINA )  
)  
)  
VS. )  
)  
)  
RONNIE LEE KIMBLE, )  
DEFENDANT. )

MOTION TO DISCLOSE THEORY  
UPON WHICH THE STATE SEEKS  
A CONVICTION OF FIRST  
DEGREE MURDER

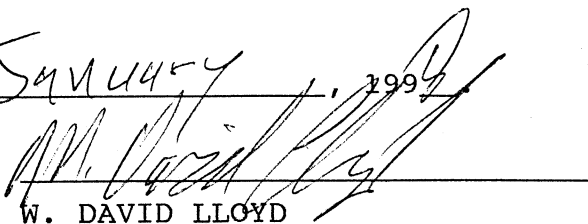
NOW COMES the defendant, above-named, through counsel, and moves this Court pursuant to Article I, Sections 19 and 23 of the North Carolina Constitution and the Sixth and Fourteenth Amendments to the United States Constitution to Order the District Attorney to disclose the theory, whether it be premeditated murder or felony murder, upon which the state seeks a conviction for first degree murder.

In support of this motion, the defendant states that notice and disclosure are required in order for the defendant to fairly and adequately prepare his defense and to receive effective assistance of counsel under the Sixth Amendment to the Constitution of the United States and Article I, Section 23 of the North Carolina Constitution.

WHEREFORE, the defendant prays the court enter an order directing the district attorney to notify the defendant whether he intends to prosecute under a theory of felony murder or premeditated murder.

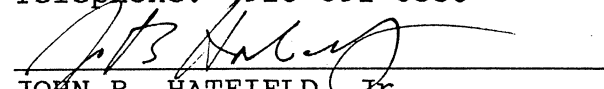
*bring in  
wait*

This the 22 day of January, 1999



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