

STATE OF NORTH CAROLINA  
COUNTY OF GUILFORD

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION

FILED

97CRS39580  
97CRS23654

1998 APR 31 AM 11: 59

STATE OF NORTH CAROLINA

GUILFORD COUNTY, C.S.C.

v.

BY

*Jmp*

MOTION FOR  
RECIPROCAL DISCOVERY  
N.C.Gen.Stat. 15A-905

RONNIE LEE KIMBLE  
Defendants

The State of North Carolina having complied with the Defendant's request for voluntarily discovery, and having made a request for voluntary reciprocal discovery, hereby MOVES the Court to enter an order pursuant to N.C.Gen.Stat. 15A-905(a) requiring the Defendant to allow the State of North Carolina to inspect and copy all:

1. All Documents and Tangible Objects. (books, papers, documents, photographs, electronic recordings) which are within the possession, custody, or control of the defendant and which the defendant intends to introduce in evidence at the trial.
2. All Documents and Tangible Objects. (books, papers, documents, photographs, electronic recordings) which are within the possession, custody, or control of the defendant's private investigator and which are the basis of the testimony or said investigator.
3. Reports of Examinations and Tests, including the results or reports of physical or mental examinations or tests which the defendant intends to introduce in evidence at the trial or which were prepared by a witness whom the defendant intends to call at the trial, when the results or reports relate to his testimony.
4. All reports of mental examinations and treatment of the defendant which relate to any sleep disorder that the defendant intends use in the defense of this case.
5. All Reports of Examinations and Tests as set forth in paragraph 3 which the defendant intends to introduce at phase two of this trial.
6. All previously sealed ex-parte orders which appointed experts to the defendant unless the defendant does not plan to call that expert as a witness and will not use the reports generated by said expert.
7. Physical evidence or a sample of it available to the defendant if the defendant intends to offer such evidence, as an exhibit or evidence in the case.

Specifically, the State of North Carolina submits that the defendant, through counsel, has indicated that he intends to rely on evidence of a "sleep disorder" to explain or contradict the State's evidence in this case.. It would be the intent of the State of North Carolina to move to have the defendant evaluated by an independent expert to be prepared to meet this evidence.

Further, the State of North Carolina, requests that the court require that said reciprocal discovery be provided to the State of North Carolina no later than June 1, 1998 to allow the State of North Carolina to evaluate the discovery and obtain an independent evuation prior to the trial date of August 2, 1998.

Pursuant to State v. Godwin, 336 N.C. 499 (1994), the court has the authority to set reasonable deadlines for reciprocal discovery. .

FILED

This Friday, May 01, 1998.

1998 APR 31 AM 11: 59

SULLFORD COUNTY, C.S.C.

BY 



Richard E. Panosh  
Assistant District Attorney

**CERTIFICATE OF SERVICE**

I, Richard E. Panosh, Assistant District Attorney for the Eighteenth Prosecutorial District, hereby certify that I have served a copy of the attached document on the counsel for the Defendant this date by:

- ( ) Placing said copy in an official depository of the United States Post office with the first-class postage prepaid and with the same addressed to:

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This Friday, May 01, 1998.



Richard E. Panosh,  
Assistant District Attorney

**FACSIMILE COVER PAGE**

**To: David Lloyd**  
**From : R. E. Panosh**  
**Subject: Microsoft Word - reciprocal discovery Ronnie.doc**  
**Pages (including cover): 3**

**Time: 12:25:52**  
**Date: 05/01/18**