

HATFIELD & HATFIELD

ATTORNEYS AT LAW

219 W. WASHINGTON STREET

GREENSBORO, NORTH CAROLINA 27401

TELEPHONE (910) 273-0589

FAX (910) 273-9238

KATHRYN K. HATFIELD

JOHN B. HATFIELD, JR.

CYNTHIA A. HATFIELD

October 9, 1997

Mr. R. E. Panosh  
Assistant District Attorney  
P. O. Box 10769  
Greensboro, NC 27404

Re: Ronnie Kimble

Dear Mr. Panosh:

David Lloyd and I are in receipt of the substantial discovery package that you made available to us on September 19, 1997. Of course it was necessary for us to make several copies and we have only recently concluded our initial review of the materials.

As I told you on the phone last week, David Lloyd and I are of the opinion that Ronnie Kimble will be substantially prejudiced if he is tried with Ted Kimble. Accordingly, we are exploring the basis for a severance motion.

You stated in that telephone conversation that Ted Kimble had confessed, presumably to the High Point inmate Poe. Please provide Mr. Lloyd and me with Ted Kimble's "confession" so that we can determine whether it raises Bruton or other constitutional issues.

You also stated that Ronnie Kimble had confessed to a person who could not testify because of privilege. We would request further details so that the person who allegedly received the so-called confession can be provided with independent advice of counsel and so that we can evaluate our client's position with regard to that individual.

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In addition, we would request that you provide us with details of the Sheriff's Department investigation of individuals other than Ronnie Kimble who may have been in the vicinity of Patricia Kimble's residence on the day of her murder or have intruded into her home. This request is made pursuant to Brady and Kyles v. Whitley. We are advised and believe that an individual named Bennie Hudson was investigated and we would specifically request that the details of that investigation be provided to us.

Also Patrick Pardee expected to gain from Patricia's demise and paid a large sum of money to Ted Kimble after Patricia's death. Patrick Pardee spoke to Sheriff's Department detectives earlier this year about his relationship with Ted Kimble. Nothing about Mr. Pardee's expected testimony was included in the discovery. If Pardee testifies, he may create Bruton problems for Ronnie Kimble. Please provide us with Patrick Pardee's statements to Sheriff's detectives.

The glock handgun found in Patricia's home after the fire has not been conclusively identified as the gun that fired the murder bullet. If the State contends that the glock was not in fact the murder weapon, please provide us with documentation of the State's position as it may lead to identification of some person other than Ronnie Kimble who may have murdered Patricia.

In our telephone conversation you stated that Ronnie Kimble, being the younger brother, was under the domination of Ted Kimble. This theory of the case suggests that Ronnie Kimble's motive - if he did kill Patricia - was not pecuniary gain under 15A-2000(e)(6). Thus the evidence in support of your theory of domination by Ted would be exculpatory and discoverable under Brady. Under Kyles v. Whitley such exculpatory evidence must be turned over forthwith.

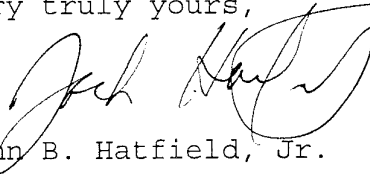
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Moreover, evidence that Ronnie Kimble was under the domination of Ted Kimble constitutes a specific mitigating circumstance under 15A-2000(f)(5). Please provide all evidence in your possession or that you know about that would support the theory that Ronnie acted under the domination of Ted Kimble.

David Lloyd, our investigator and I would like to inspect all documents, photographs and other tangible evidence next Wednesday, October 15, at 1:30 p.m. at the Sheriff's Department. Please confirm if this time will be acceptable.

Thank you for your consideration in this matter.

Very truly yours,

A handwritten signature in cursive script, appearing to read "John B. Hatfield, Jr.", written in dark ink. The signature is fluid and somewhat stylized, with a long horizontal flourish extending to the right.

John B. Hatfield, Jr.

JBHjr/ph

cc: Mr. David Lloyd