

STATE OF MINNESOTA
COUNTY OF LYON

IN DISTRICT COURT
FIFTH JUDICIAL DISTRICT

STATE OF MINNESOTA,

Plaintiff,

File No. 42-CR-08-220

vs.

OLGA MARINA FRANCO DEL CID,

ORDER

Defendant.

The above-entitled matter came before this Court on July 8, 2008 for a Hearing. Defendant was present represented by Manuel Guerrero, Attorney at Law, St. Paul, Minnesota; Tamara Caban-Ramirez, Attorney at Law, Minneapolis, Minnesota; and Neal Eisenbraun, Attorney at Law, New Brighton, Minnesota. The State appeared through Rick Maes, Lyon County Attorney.

Based upon all the files and records herein,

IT IS HEREBY ORDERED:

1. The State shall immediately provide to Defense Counsel all of the discovery as requested in Counsel's letter, dated July 20, 2008; OR
2. The State, Defense Counsel, and Defendant shall appear at a hearing on Tuesday, July 22, 2008 at 10:00 a.m. at the Redwood County Courthouse, Redwood Falls, Minnesota. The author of the Crash Reconstruction Report, Sgt. P.C. Skoglund, shall be present.

Dated: July 21, 2008

BY THE COURT:



David W. Peterson
Judge of District Court

MEMORANDUM

At the hearing on July 8, 2008, Defendant requested that the State provide information needed to evaluate the Crash Reconstruction Report of the Minnesota State Patrol. The State agreed on the record to supply that information by noon on the following day, July 9, 2008. The

Court received a copy of correspondence from Defense Counsel to the State, dated July 9, 2008. That first letter stated, with specificity, the information that Defendant was requesting. Defense Counsel sent a second letter, dated July 15, 2008, to the State. Defense Counsel alleges that, at that point, they had still not received the information requested, and requested a reply via email or telephone call. The Court has now received a third letter, dated July 20, 2008. This final letter alleges while Defense Counsel has received some of the information requested, there is still specific data that has not been provided.

As this matter is set for trial, to begin with voir dire one week from now, the Court orders that either (1) the State provide the requested discovery to Defense Counsel immediately, or (2) the State, Defense Counsel, and Defendant appear at a hearing which is hereby set for July 22, 2008 at 10:00 a.m. at the Redwood County Courthouse, along with Sgt. P.C. Skoglund (the author of the Report) present, in order to resolve the matter prior to trial.

7-21-08
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FILED IN THIS OFFICE
7-21-08
Karen J. Bierman
COURT ADMINISTRATOR
Marshall, Lyon County, Minnesota