

STATE OF MINNESOTA  
COUNTY OF LYON

IN DISTRICT COURT  
FIFTH JUDICIAL DISTRICT

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STATE OF MINNESOTA,

Plaintiff,

File No. 42-CR-08-220

vs.

OLGA MARINA FRANCO DEL CID  
aka ALIANISS NUNEZ MORALES,

ORDER

Defendant.

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WHEREAS the Court has received motions from Defense Counsel dated June 14, 2008 to consider an additional transfer of venue and to compel discovery,

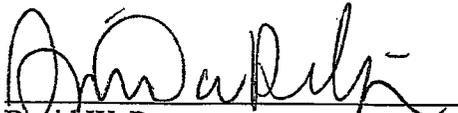
Based upon all the files and records herein,

**IT IS HEREBY ORDERED:**

1. A hearing shall be held on Friday, June 27, 2008, at 8:30 a.m., at the Lyon County Courthouse on both motions.

Dated: JUNE 17, 2008

BY THE COURT:

  
David W. Peterson  
Judge of District Court

**FILED IN THIS OFFICE**

6-17-08  
Karen J. Bierman  
COURT ADMINISTRATOR  
Marshall, Lyon County, Minnesota

STATE OF MINNESOTA

IN THE DISTRICT COURT

COUNTY OF LYON

FIFTH JUDICIAL DISTRICT

State of Minnesota,

COURT FILE NO. 42-CR-08-220

Plaintiff,

vs.

**DEFENDANT'S MOTION TO COMPEL  
DISCOVERY PURSUANT TO RULE 9.03**

Olga Marina Franco del Cid,

Defendant.

COMES Defendant, by counsel, and moves the Court for an order to compel complete discovery based upon the following:

1. Defendant filed a written motion for Discovery pursuant to Rule 9 of the Minn. R. of Crim. Proc. on February 23, 2008, to which the State has failed to comply in part: to-wit, an accident reconstruction report and results of inspections; and a complete copy of the DNA results from the B.C.A.

WHEREFORE, Defendant prays for a court order ordering the State to comply forthwith with its discovery and for all other relief in the matter.

Dated: June 14, 2008

*Manuel P. Guerrero*

Manuel P. Guerrero, Esq.

Atty. Reg. No. 38520

148 Farrington St.

St. Paul, MN 55102

651 224 4855

Lead Counsel for Defendant

**FILED IN THIS OFFICE**

*6-16-08*

Karen J. Bierman

COURT ADMINISTRATOR

Marshall, Lyon County, Minnesota

STATE OF MINNESOTA

IN THE DISTRICT COURT

COUNTY OF LYON

FIFTH JUDICIAL DISTRICT

State of Minnesota,

COURT FILE NO. 42-CR-08-220

Plaintiff,

vs.

**DEFENDANT'S NOTICE OF MOTION  
AND MOTION TO TRANSFER VENUE**

Olga Marina Franco del Cid,

Defendant.

TO: District Court Administrator and Mr. Rick Maes, Esq., Lyon County Attorney, 607 W. Main St., Marshall, MN 56258, and Judge David W. Peterson, P.O. Box 130, Redwood, MN 56283.

PLEASE TAKE NOTICE that the Defendant, by counsel, moves the Court for an order to transfer the trial venue based upon the following:

1. Defendant filed a written motion for a change of venue that was granted and the Court *sua sponte*, on June 11, 2008, ordered that venue be transferred from Lyon County, Minnesota.

2. A defendant in a motion for a change of venue may not select the county to which the venue should be changed since the matter rests in the sound discretion of the trial court but the Supreme Court of Minnesota has determined that where it appears likely that it will be impossible to procure a fair trial before an impartial jury in a county, the defendant's preference for a different county may be granted.

**FILED IN THIS OFFICE**

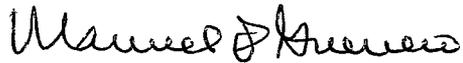
*6-16-08*

Karen J. Bierman  
COURT ADMINISTRATOR  
Marshall, Lyon County, Minnesota

3. Defendant, by counsel, wishes to be heard on her county of preference and as to why the trial should be transferred from Kandiyohi County, Minnesota.

WHEREFORE, Defendant prays for a hearing and a court order transferring the trial to another county and for all other relief proper in the matter.

Dated: June 14, 2008



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Manuel P. Guerrero, Esq.  
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148 Farrington St.  
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651 224 4855  
Lead Counsel for Defendant