

STATE OF MINNESOTA
COUNTY OF LYON

IN DISTRICT COURT
FIFTH JUDICIAL DISTRICT

STATE OF MINNESOTA,

Plaintiff,

File No. 42-CR-08-220

vs.

OLGA MARNIA FRANCO DEL CID
aka ALIANISS NUNEZ MORALES,

ORDER

Defendant.

The above-entitled matter came before this Court on Defendant's Notice of Motion and Motion for Order Allowing for Deposition. Defendant was represented by Manuel Guerrero, Attorney at Law, St. Paul, Minnesota and Tamara Caban-Ramirez, Attorney at Law, Minneapolis, Minnesota. The State appeared through Rick Maes, Lyon County Attorney.

Counsel for Defendant made an offer of proof in chambers. Based upon that offer of proof, the Court finds:

1. There is a reasonable probability that the testimony of Keryn Vigil will be used at trial and that Counsel for Defendant will be unable to procure the attendance of Keryn Vigil by subpoena, order of court, or other reasonable means.

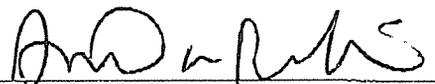
Based upon this finding, and all the files and records herein,

IT IS HEREBY ORDERED:

1. Defendant's Motion for Order Allowing Deposition of Keryn Vigil is GRANTED.
2. The testimony of Keryn Vigil shall be taken by oral deposition before a person authorized to administer oaths; Keryn Vigil shall be put on oath and a verbatim record of the testimony shall be made.
3. The date and time of the deposition shall be agreed upon by all Counsel, and appropriate notice shall be sent; the deposition shall occur at the Lyon County Courthouse with all Counsel present.
4. The scope and manner of examination and cross-examination shall be the same as that allowed at trial, pursuant to Rule 21 of the Minnesota Rules of Criminal Procedure.
5. Defendant shall be allowed to be present at the taking of the deposition, and a qualified Spanish interpreter shall be present for Defendant.

Dated: MAY 16, 2008

BY THE COURT:



David W. Peterson
Judge of District Court

FILED IN THIS OFFICE

5-16-08

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