

STATE OF MARYLAND

v.

EDWARD NERO

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IN THE
CIRCUIT COURT FOR
BALTIMORE CITY

CASE No. 115141033

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STATE'S MOTION TO COMPEL DISCOVERY

Now comes the State of Maryland, by and through Marilyn J. Mosby, the State's Attorney for Baltimore City; Michael Schatzow, Chief Deputy State's Attorney for Baltimore City; Janice L. Bledsoe, Deputy State's Attorney for Baltimore City; and Matthew Pillion, Assistant State's Attorney for Baltimore City; and pursuant to Rule 4-263(i) moves this Court to compel the Defendant to comply with the defense discovery obligations under Rule 4-263. In support of this Motion, the State avers the following:

1. Rule 4-263(h)(2) requires that the defense provide the State with any discovery no later than 30 days before the first scheduled trial date. On June 22, 2015, the Clerk mailed to all counsel Judge Pierson's Order scheduling the Defendant's trial date for October 13, 2015. That scheduled trial date is now less than 30 days away, but the Defendant has provided the State with none of the disclosures listed in Rule 4-263(e).

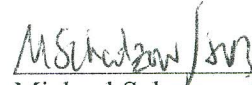
2. The State recognizes, of course, that this Court previously indicated that the trial date and associated discovery deadline might change given the circumstances of severance and defense counsel's schedule. Rule 4-263(i), however, requires the State to file a motion to compel within ten days after the discovery was due. Because the trial date has not yet been formally changed, because it is possible that one trial may begin on October 13 or shortly thereafter, and because the ten-day deadline will likely pass prior to any postponements that emerge from the upcoming scheduling conference, the State is filing this Motion in an abundance of caution.

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CRIMINAL DIVISION

Wherefore, the State requests that this Court grant the State's Motion to Compel Discovery. The State respectfully reserves the right to supplement or withdraw this Motion pending future developments.

Respectfully submitted,

Marilyn J. Mosby



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