

STATE OF MARYLAND

v.

BRIAN RICE

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IN THE
CIRCUIT COURT FOR
BALTIMORE CITY

CASE No. 115141035

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**STATE'S RESPONSE TO DEFENDANT'S MOTION TO PRODUCE RECORDS
REGARDING DNA ANALYSIS**

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 responds to the Defendant's Motion to Produce Records Regarding DNA Analysis as follows:

1. The Defendant's Motion requests an array of materials related to the DNA analysis conducted in this case, but the Motion cites no authority for either the Motion itself or for any entitlement to the materials therein requested. The Motion, thus, fails to comply with Rule 4-252(e)'s requirement to "contain . . . citation of authorities."

2. The State, however, has construed the Motion, in the alternative, as a request for discovery.

As such, pursuant to Rule 4-263 and *Cole v. State*, 378 Md. 42 (2003), the State responds that:

A. The material the Defendant requests in paragraph (a) of the Motion, to the best of the State's knowledge, was disclosed on June 26, 2015.

B. The material the Defendant requests in paragraph (b) of the Motion, to the best of the State's knowledge, was disclosed on June 26, 2015.

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C. The material the Defendant requests in paragraph (c) of the Motion, to the best of the State's knowledge, is on file at the Baltimore Bar Library, a disclosure method suggested in *Cole*, 378 Md. at 66, n. 21.

D. The material the Defendant requests in paragraph (d) of the Motion, to the best of the State's knowledge, is on file at the Baltimore Bar Library, a disclosure method suggested in *Cole*, 378 Md. at 66, n. 21.

E. The material the Defendant requests in paragraph (e) of the Motion, to the best of the State's knowledge, is on file at the Baltimore Bar Library, a disclosure method suggested in *Cole*, 378 Md. at 66, n. 21.

F. The material the Defendant requests in paragraph (f) of the Motion, to the best of the State's knowledge, was disclosed on June 26, 2015.

G. The material the Defendant requests in paragraph (g) of the Motion, to the best of the State's knowledge, was disclosed on June 26, 2015.

H. The material the Defendant requests in paragraph (h) of the Motion, to the best of the State's knowledge, was disclosed on June 26, 2015.

I. The material the Defendant requests in paragraph (i) of the Motion, to the best of the State's knowledge, is on file at the Baltimore Bar Library, a disclosure method suggested in *Cole*, 378 Md. at 66, n. 21.

J. The material the Defendant requests in paragraph (j) of the Motion, to the best of the State's knowledge, was disclosed on June 26, 2015.

K. The material the Defendant requests in paragraph (k) of the Motion, to the best of the State's knowledge, was disclosed on September 22, 2015.

L. The material the Defendant requests in paragraph (l) of the Motion, to the best of the State's knowledge, was disclosed on September 22, 2015.

M. The material the Defendant requests in paragraph (m) of the Motion, to the best of the State's knowledge, is on file at the Baltimore Bar Library, a disclosure method suggested in *Cole*, 378 Md. at 66, n. 21.

N. The material the Defendant requests in paragraph (n) of the Motion, to the best of the State's knowledge, is on file at the Baltimore Bar Library, a disclosure method suggested in *Cole*, 378 Md. at 66, n. 21.

O. The material the Defendant requests in paragraph (o) of the Motion, to the best of the State's knowledge, is on file at the Baltimore Bar Library, a disclosure method suggested in *Cole*, 378 Md. at 66, n. 21.

P. The material the Defendant requests in paragraph (p) of the Motion, to the best of the State's knowledge, is on file at the Baltimore Bar Library, a disclosure method suggested in *Cole*, 378 Md. at 66, n. 21.

Q. The material the Defendant requests in paragraph (q) of the Motion, to the best of the State's knowledge, is on file at the Baltimore Bar Library, a disclosure method suggested in *Cole*, 378 Md. at 66, n. 21.

Wherefore, the State requests that this Court deny the Defendant's Motion as either non-compliant with Rule 4-252 or else as moot in light of the State's disclosures.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on this 23rd day of September, 2015, a copy of the State's Response to the Defendant's Motion to Produce Records Regarding DNA Analysis was delivered to Defendant's counsel as specified below:

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