

County Courts routinely reject defendants' right to utilize the subpoena duces tecum to achieve discovery directly from third parties. The result is an abject affront to the administration of justice: defendants are forced to rely on the honesty and competence of a prosecutor to produce evidence that is material when – as many, many other cases illustrate in this county – that office is demonstrably ...unreliable... in this regard. It reduces the administration of criminal justice to an artifice, an illusion, and is a deprivation of numerable fundamental rights such as the right to confront witnesses, the right to compulsory process, the right to know the evidence he is to defend, and the right to due process.

Finally, the Defendant prays for wide latitude in cross-examining State's witnesses regarding the late production of this evidence. In particular, because it would appear that Paris Police Department Investigator Ronnica Blake is vested with the responsibility to deliver case materials to the prosecutor herein, such latitude is appropriate to determine her bias and motive to lie as an explanation for the failure to produce. Alternatively, Blake may testify that she did timely produce the evidence, in which event the Court will have meaningful information about the State's adherence to the Court's discovery rules, and about the State's candor with respect to this issue to date.

In the absence of a striking of this testimony and wide latitude on cross, the Defendant moves to continue trial. This cause should be continued from this date because the undersigned counsel cannot provide Defendant's VI Amendment right to effective counsel at a trial commencing today at 1:00 P.M. if this evidence is received by the Court, after the Defendant receiving the foregoing evidence less than three business hours before trial.

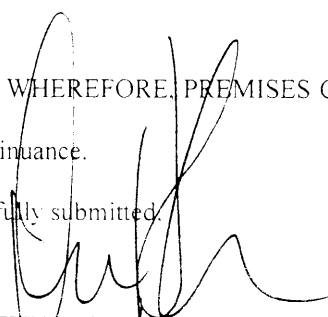
III.

This motion is made in the interest of justice and not for any reason of delay.

WHEREFORE, PREMISES CONSIDERED, the Defendant respectfully prays the Court grant this Motion for Continuance.

Respectfully submitted,

By:


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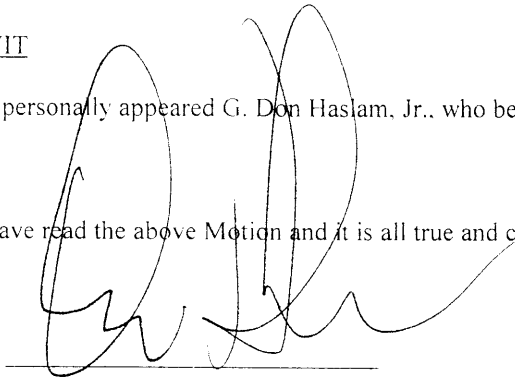
State of Texas

County of Lamar

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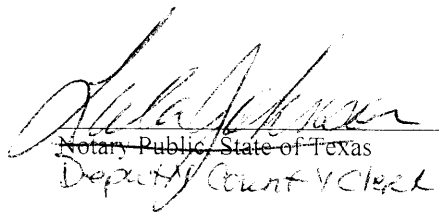
BEFORE ME, the undersigned authority, on this day personally appeared G. Don Haslam, Jr., who being by me duly sworn, upon oath deposes and says:

"I am the attorney for the Defendant in this cause. I have read the above Motion and it is all true and correct to the best of my knowledge."



G. Donald Haslam, Jr.

SUBSCRIBED AND SWORN BEFORE ME on this 14th day of April, 2014, to certify which witness my hand and seal of office.


Notary Public, State of Texas
Deputy Court Clerk

My commission expires: _____

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Motion was hand delivered/mailed to the Lamar County District Attorney's Office on April 14, 2014.

