

RYAN PACYGA CRIMINAL DEFENSE

CRIMINAL DEFENSE ATTORNEYS

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January 19, 2012

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VIA FACSIMILE [REDACTED] ONLY

SECOND REQUEST

Goodhue County Attorney's Office
Attn: [REDACTED]
454 West Sixth Street
Red Wing, MN 55066

re: State of Minnesota v. [REDACTED]
Court File Nos.: [REDACTED] and [REDACTED]

Dear [REDACTED]:

This is a follow-up to my December 5, 2011 letter to you and subsequent teleconference with you on or about December 14, 2011 regarding outstanding discovery requests in the above-entitled matter.

On December 2, 2010, my office sent a letter requesting a copy of any audio/video recordings that relate to Ms. [REDACTED]'s case. We followed up with a second request in writing. To date, we have not received any audio/video recordings besides the recorded interview of D.L., even though it is specifically referred to in the Complaint. Additionally, this is our second request the following discovery:

1. Transcripts from the interviews of D.M., dob 3/4/1992;
2. Any recording of the interviews of D.M.;
3. Transcripts from the interviews of Juvenile Male #1, dob 8/15/1992;
4. Any recording of the interview of Juvenile Male #1, dob 8/15/1992;
5. Transcripts from the interviews of [REDACTED], [REDACTED], [REDACTED], [REDACTED], and [REDACTED];
6. The recorded interviews of [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], and [REDACTED];
7. Any and all letters received from [REDACTED] signed "Sandy";
8. The polygraph test results of [REDACTED] and [REDACTED] while they were at MCF-RW;
9. Any and all of the letters signed "[REDACTED]" received from [REDACTED], or any other letters received from [REDACTED] and analyzed by the BCA;
10. Any additional letters or written letters analyzed by the BCA not previously received;
11. Documents from MCF-RW indicating anytime any of the alleged victims, [REDACTED], [REDACTED], or [REDACTED] aka Juvenile Male #1 were held in Dayton Segregation Unit ("DSU") and any documentation or reports for the reasons they were sent to DSU;
12. Itemized list of the writing samples compared by the BCA identifying the way the items are numbered;
13. Copies of all of the documents seized from Ms. [REDACTED]'s residence; and
14. A copy of the MCF-RW internal file of Officer [REDACTED].

Based upon our December teleconference, I understand that you were going to get back to me regarding items 1-6, 10, 12 and 13. You also indicated that you do not have items 7-9, 11 and 14.

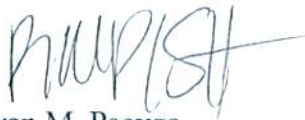
Please note that you have a continuing duty to disclose discovery under Minn. R. Crim. P. 9.03 subd. 2, and that the rules extend not only to your office, but to any persons or entities referred to in Minn. R. Crim. P. 9.01 subd. 1a(1). It is also our ongoing request that you provide all Brady material, whether or not the defense has specifically requested it. Evenstad v. Carlson, 470 F.3d 777 (8th Cir. 2006).

Please forward the discovery requested as soon as possible. Additionally, please invoice my office for the cost of the paper copies or recordings associated with this request. The undersigned guarantees reimbursement. If your office requires prepayment, please notify me as to the number of copies contained in your file as well as the type of recordings you may have, and your fee for the same.

If you have any questions or concerns, please do not hesitate to contact me.

Very truly yours,

RYAN PACYGA CRIMINAL DEFENSE



Ryan M. Pacyga

RMP/sph
cc: Client