

IN THE SUPREME COURT

IN THE MATTER OF:) Docket # 2002-DE-L-0711
Robert Barnwell Clarkson)
Respondent) Motion for Disclosure
under Rule 5

Respondent Robert Clarkson hereby files his motion for Disclosure/ Discovery in a Criminal Case under SCRCrimP 5 to the ODC:

- 1) The ODC has moved this Court for criminal contempt against Clarkson. Therefore this is a criminal case, so the protections and rules of criminal procedure apply.
- 2) Under **Brady v Maryland** 373 US 83 (1963) at al, the US Supreme Court ruled that a defendant is entitled to disclosure of any and all exculpatory evidence under the control of the government. Clarkson request this.
- 3) Under Rule 5 (a), the prosecution upon request shall permit Clarkson to inspect all evidence, documents, records, computer entries, etc. Clarkson in particular request all records and statements pertaining to this case.

The reason Clarkson especially seeks this information is because his defense includes his contesting that portion of the charge that he controlled or managed any case

- 4) The ODC has statements against him from Gary Chapman et al which Defendant needs in his defense.

Certificate of Service: I certify that on this date, I sent properly a copy of this pleading to opposing counsel.

Date: 26 Dec 07

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