

NORTH CAROLINA
GUILFORD COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
97 CrS 39580

STATE OF NORTH CAROLINA,)
)
 vs.)
)
 RONNIE LEE KIMBLE,)
)
 Defendant.)

MOTION FOR APPOINTMENT
OF A PRIVATE INVESTIGATOR
(EX-PARTE)

COMES NOW the defendant, through his undersigned attorney,
and respectfully shows the court the following:

1. The defendant was arraigned on May 2, 1997 for the charge of first degree murder.
2. On May 8, 1997 Assistant District Attorney R. E. Panosh wrote the undersigned and promised that "all materials which are subject to discovery" would be provided in a timely manner. As of this date no discovery has been provided.
3. On June 5, 1997 Judge McHugh reviewed the defendant's indigency status pursuant to 7A-450(c), found the defendant to be indigent and appointed David Lloyd to serve with the undersigned as additional counsel.
4. On July 29, 1997 the codefendant Ted Kimble appeared before the Honorable William Freeman for a Rule 24 conference. At said conference Assistant District Attorney R. E. Panosh promised the court and counsel for Ted Kimble that substantial discovery would be provided to counsel within 45 days. More than fifty days have now passed and no discovery has been provided.
5. Since June 5, 1997 the undersigned has repeatedly requested that Assistant District Attorney R. E. Panosh provide voluntary discovery but no response has been forthcoming. This case has been tentatively set for trial in May, 1998 by Assistant District Attorney R. E. Panosh and the defendant must proceed to investigate and prepare for trial.
6. The State of North Carolina investigated the facts and circumstances of this case for eighteen months prior to bringing charges against the defendant.

7. Assistant District Attorney R. E. Panosh has asserted that there are at least three aggravating factors under G.S. 15A-2000 based upon complex fact patterns involving insurance law and the science of explosives.

8. The defendant and his counsel are in need of the assistance of a private investigator in order to investigate the facts and circumstances underlying the defendant's case.

9. Because of the complexity of this case the sum of \$2,500 is reasonable to provide immediate investigative assistance. If additional sums are required, the defendant should be permitted to make further application of the court.

10. Michael D. Ingold, Sr., a licensed private investigator, has agreed to serve for compensation to be set by the court in its discretion.

WHEREFORE, the defendant respectfully prays that the court authorize the undersigned to hire Michael D. Ingold, Sr. and/or any other qualified investigator, subject to a limit of \$2,500, without prejudice.

This the 18 day of September, 1997.

HATFIELD & HATFIELD

By 

John B. Hatfield, Jr.
Attorney for Defendant
219 W. Washington Street
Greensboro, NC 27401
(910) 273-0589