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October 13, 1999

Theodore M. Kimble, #0599011
Central Prison
1300 Western Blvd.
Raleigh, North Carolina 27606

Re: *State v. Theodore Mead Kimble*
97 CrS 39581; 98 CrS 23486, 23656; 99 CrS 23241-23248

Dear Mr. Kimble:

Thank you for your recent letter. I spoke with David Lloyd about Ronnie's appeal this morning. Mr. Lloyd is planning to file Ronnie's brief in the Court of Appeals within the next two weeks. At this point, I am expecting your brief to be due sometime at the very beginning of next year; however, it is possible that I may be able to stall that deadline until February or March of 2000. Thus, Ronnie's appeal will be running about 2-4 months ahead of yours.

I believe the strongest argument Mr. Lloyd is planning to raise involves the admission of hearsay statements you allegedly made to certain witnesses implicating Ronnie as Patricia's actual murderer. In my opinion, that is a good legal issue, but it may be difficult to show prejudice in light of Ronnie's alleged confession to Mitch Whidden. Unfortunately, it is very difficult for either Mr. Lloyd or myself to accurately predict whether the Court of Appeals will grant Ronnie a new trial. I wish I could give you more information but that is really the best I can do at this time.

Your father mentioned to me that you are having difficulty obtaining 7 volumes of Ronnie's trial transcript despite the existence of a Court Order directing the Court Reporter to deliver a copy to you. Have you been able to obtain all of the transcripts or do you need me to contact Mr. Crumpler and try to locate them?

I have enclosed the business card you requested. I apologize for not sending it earlier. I will plan on scheduling a visit with you sometime in November. In the meantime, please feel free to write if you have any questions or concerns. I hope you are doing as well as possible.

Sincerely,

A handwritten signature in black ink, appearing to read "Danielle M. Carman", with a stylized flourish at the end.

Danielle M. Carman

Assistant Appellate Defender

Enclosure

cc: Rev. Ronnie and Edna Kimble
6318 Liberty Rd.
Julian, North Carolina 27283