

HATFIELD & HATFIELD

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KATHRYN K. HATFIELD
JOHN B. HATFIELD, JR.
CYNTHIA A. HATFIELD

August 19, 1998

Dr. Harold Wilmington
Liberty Bible Institute
Lynchburg, VA

TRANSMITTED VIA FAX:
(804) 582-2271

Dear Dr. Wilmington:

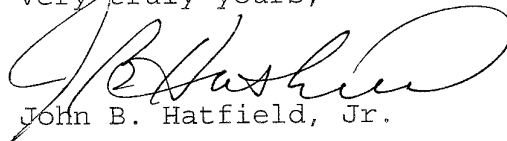
Enclosed herewith is a subpoena for your testimony on August 24, 1998 in Ronnie Kimble's murder trial.

At approximately 10:15 p.m. last night, I learned from Ron Kimble, Sr. that your name had been removed from Mr. Panosh's witness list. Before last night I fully expected that you would testify in Ronnie's case and now that I have been told that you may not testify as a State's witness, I must respectfully ask you to appear as a defense witness.

I am deeply appreciative of your kindness to me in Ronnie's case on several occasions and hope your attendance at the trial will not inconvenience you. Although the subpoena directs you to appear in Superior Court at 10:00 a.m. on August 24, please call my secretary, Phyllis, and she will keep you informed as to precisely when your testimony will be scheduled so you do not have to waste time. I would also appreciate it if you would arrange to come by my office before you are actually needed in court so that we can have a brief discussion about your testimony.

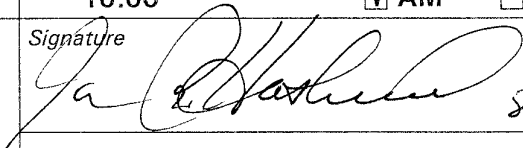
Thank you very much for your consideration in this matter.

Very truly yours,



John B. Hatfield, Jr.

JBHjr/ph
Enclosure

STATE OF NORTH CAROLINA		File No. 97 CrS 39580	
<u> </u> GUILFORD County		In The General Court Of Justice <input type="checkbox"/> District <input checked="" type="checkbox"/> Superior Court Division	
STATE OF NORTH CAROLINA		SUBPOENA	
V E R S U S			
RONNIE LEE KIMBLE			
Party Requesting Subpoena: <input type="checkbox"/> State / Plaintiff <input checked="" type="checkbox"/> Defendant <input type="checkbox"/> Other (specify)			
T O	Name of Person Subpoenaed Dr. Harold Wilmington		Note: A single subpoena may be used for as many as three persons if all have the same address. If documents are subpoenaed, only one person may be named.
	Name of Second Person Subpoenaed		
	Name of Third Person Subpoenaed		
	Address Liberty University		
		Alternate Address	
City, State, Zip Lynchburg, VA		Telephone No.	City, State, Zip
			Telephone No.
YOU ARE COMMANDED TO: (check all that apply) <input checked="" type="checkbox"/> appear and testify, in the above entitled action, at the place, date and time indicated below. <input checked="" type="checkbox"/> produce the following items, at the place, date, and time indicated below. All college records from Liberty Bible Institute for Mitchell Whidden.			
Appear At This Location Guilford County Superior Court Guilford County Courthouse, Room 3C Greensboro, NC		Date To Appear / Produce August 24, 1998	
		Time To Appear / Produce 10:00 <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM	
Name, Address, and Telephone No. of Applicant's Attorney John B. Hatfield, Jr. 219 West Washington Street Greensboro, NC 27401 (910) 273-0589		Signature  Date 8-19-98	
		<input type="checkbox"/> Deputy CSC <input type="checkbox"/> Assistant CSC <input type="checkbox"/> Clerk Of Superior Court <input type="checkbox"/> Magistrate <input checked="" type="checkbox"/> Attorney <input type="checkbox"/> Party	

RETURN OF SERVICE

I certify that this Subpoena was received and served as follows:

Date Received

For The First Person Named On Front:

- by delivering a copy of this Subpoena to the first person named on front
- by telephone communication with the first person named on the front (use only with subpoena to appear and testify).
- this subpoena WAS NOT served for the following reasons:
- by registered or certified mail return, receipt requested and attached, on the first person named on the front.

Service Fee	<input type="checkbox"/> Paid	Date Served	Signature Of Authorized Server
\$	<input type="checkbox"/> Due		

For The Second Person Named On Front:

- by delivering a copy of this Subpoena to the second person named on front
- by telephone communication with the second person named on the front (use only with subpoena to appear and testify).
- this subpoena WAS NOT served for the following reasons:
- by registered or certified mail return, receipt requested and attached, on the second person named on the front.

Service Fee	<input type="checkbox"/> Paid	Date Served	Signature Of Authorized Server
\$	<input type="checkbox"/> Due		

For The Third Person Named On Front:

- by delivering a copy of this Subpoena to the third person named on front
- by telephone communication with the third person named on the front (use only with subpoena to appear and testify).
- this subpoena WAS NOT served for the following reasons:
- by registered or certified mail return, receipt requested and attached, on the third person named on the front.

Service Fee	<input type="checkbox"/> Paid	Date Served	Signature Of Authorized Server
\$	<input type="checkbox"/> Due		

INFORMATION FOR WITNESS

The Subpoena

The subpoena is a court order requiring you to appear in court on the day and at the time stated. You have been called (subpoenaed) to court to be a witness in a case.

Duties Of A Witness

Unless you are a custodian of medical or public records, you must attend court on the day and at the time stated in this subpoena. Unless otherwise directed by the presiding judge, you must answer all questions asked when you are on the stand giving testimony. Your answers to questions must be truthful.

If you are commanded to produce any items, you must bring them with you to court.

If you have any questions about being subpoenaed as a witness, you should contact the attorney or official who had the subpoena issued. The name of this person is on the other side of this subpoena form.

Understand The Question And Speak Out

When you are on the witness stand, listen carefully to any question, and make sure that you understand the question before you try to answer it. If necessary, ask that the question be repeated.

In answering questions, speak out clearly and loudly enough to be heard. If you are testifying before a jury, speak out so that all of the jurors can hear you.

Bribing Or Threatening A Witness

It is a violation of state law for anyone to attempt to bribe, threaten, harass, or intimidate a witness. If anyone attempts to do any of these things concerning your involvement as a witness in this case, you should promptly report that to the district attorney or the presiding judge.

Witness Fee

A witness is entitled to a small daily fee, and to travel expense reimbursement if it is necessary to travel outside the county in order to testify. (The fee for an "expert witness" will be set by the presiding judge.) After you have been discharged as a witness, if you desire to collect the statutory fee, you should immediately contact the clerk's office and certify to your attendance as a witness so that you will be paid any amount due you.

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FACSIMILE COVER SHEET

To: Dr. Harold Wilmington

From: John B. Hatfield, Jr.

Date: August 19, 1998

Comments:

Number of Pages Including This Cover Sheet: 3

If you did not receive the number of pages listed above or if you have any problems receiving this fax, please notify us at (910) 273-0589.

Thank you.

Phyllis

THIS COMMUNICATION CONTAINS CONFIDENTIAL OR LEGALLY PRIVILEGED INFORMATION AND IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS MATERIAL BY ANYONE OTHER THAN THE INTENDED RECIPIENT IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE COLLECT AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. WE WILL BE GLAD TO REIMBURSE YOU FOR POSTAGE. THANK YOU.

Jack:

Dr. Wilmington called about 2 minutes after I faxed letter and subpoena. He said it was very shocking to him that you had subpoenaed him.

He says he considers it the providential plan of God that the State will not be using him.

Says he cannot help Ronnie. He heard confession of what Ronnie said to Mitch.

Wants you to rethink this because he will have to tell the truth and that can only hurt Ronnie.

Doesn't think this could be in the best interest of your client.

Please call between 1:00 and 2:00 today. (804) 582-2274

Handwritten notes:
Subj. (i) del 2/5
affair
in)
(i) man