

STATE OF NEW MEXICO
COUNTY OF SANTA FE
FIRST JUDICIAL DISTRICT COURT

STATE OF NEW MEXICO,

Plaintiff,

v.

D-101-CR-2024-00013

ALEXANDER RAE BALDWIN,

Defendant.

STATE'S EXPEDITED MOTION FOR EXHIBIT LIST DEADLINE

The State of New Mexico, through Special Prosecutors, Kari T. Morrissey and Erlinda O. Johnson, respectfully submits this motion requesting an exhibit list deadline of June 21, 2024 and as grounds states as follows:

1. There is no requirement in NMRA 5-501, the Local Rules for the First Judicial District Court or the Court's scheduling order that an exhibit list be filed prior to trial. However, the instant case is significantly different than most cases due to the amount of discovery. The instant case contains approximately one terabyte of discovery to include thousands of pages of documents, hundreds of lapel videos, hundreds of movie set videos, many thousands of still photos, several hundred pieces of physical evidence and more than fifty named witnesses. It would benefit both parties to have a required exchange of exhibits prior to trial.
2. The State is asking that the Court establish a deadline of June 21, 2024, for final exhibit lists from each party. The deadline for motions in limine is June 24, 2024, so the proposed deadline would enable either party to file motions in limine to limit or potentially exclude certain exhibits prior to trial. The State believes that this will enable the trial to proceed more efficiently with less interruptions for objections to exhibits after

the jury has been empaneled. "Inherent judicial power is the power necessary to exercise the authority of the court. This authority embraces the ability of a court to control its docket and the proceedings before it." State v. Candelaria, 144 N.M. 797, 801, 2008-NMCA-120, 14, 192 P.3d 792, 796 (citing to *In re Jade G.*, 2001 NMCA 58, P 27, 130 N.M. 687, 30 P.3d 376).

3. The State is filing this motion expedited pursuant to LR1-201(H) with the intention of having the matter decided quickly so that the parties will have adequate time to file exhibit lists by the proposed deadline of June 21, 2024.
4. The State contacted defense counsel via email on June 6, 2024, requesting the defendant's position on this motion and as of the date of filing no response from the defendant has been received.

Respectfully Submitted,

/s/ Kari T. Morrissey

Kari T. Morrissey

Erlinda O. Johnson

Special Prosecutors

First Judicial District

1303 Rio Grande NW, Suite 5

Albuquerque, New Mexico 87104

(505) 361-2138

ktm@morrisseylewis.com

I hereby certify that a true and accurate copy of the foregoing was provided to counsel for the defendant via e-mail this 6th day of June 2024.

/s/ Kari T. Morrissey

Kari T. Morrissey