

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

STATE OF NEW MEXICO,
Plaintiff,

v.

D-101-CR-2024-00013

ALEXANDER BALDWIN,
Defendant.

MOTION TO EXCEED PAGE LIMITS

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Counsel for Defendant Alec Baldwin

Alexander R. Baldwin III, by and through his counsel, hereby moves this honorable Court to permit undersigned counsel to exceed page limits under LR1-305(A) NMRA and states in support:

1. Mr. Baldwin intends to file a Reply in support of his Motion to Dismiss Based on State's Destruction of Evidence (filed May 6, 2024), as well as a Reply in support of his Motion to Dismiss for Failure to Allege a Criminal Offense (filed May 6, 2024). These Replies are each 19 pages long.

2. The State, through Special Prosecutor Kari Morrissey, opposes this Motion.

3. Baldwin's requested page-limit extension is necessary to fully address the arguments offered in the State's Response. For example, in his Motion to Dismiss for Failure to Allege a Criminal Offense, Baldwin cites to legal authority for the basic proposition that due process prevents prosecutors from taking factually inconsistent positions against two different defendants in prosecutions arising from the same event. In opposition to that motion, the State dismisses this proposition and mischaracterizes the authorities that Baldwin cited for it. In order to properly reply to that assertion, the defense has had to include an extensive overview of the law on this issue for the Court's consideration.

4. Furthermore, on the same day the State filed its opposition to Baldwin's motion, the State disclosed for the first time an expert report that was prepared for the State in August 2023. The report was not known to Baldwin or disclosed by the State until the State's expert alluded to it in a pretrial interview conducted on May 21. This report is directly relevant to Baldwin's motion and it has necessarily been included in the argument.

5. Baldwin should have an opportunity to fully address every argument made by the State in its oppositions—especially arguments that rely on mischaracterizations of the law or no law at all.

WHEREFORE, Defendant Alexander R. Baldwin III respectfully requests that this Court enter an order permitting him to increase the page limit for each of his Reply briefs to 19 pages.

Date: June 5, 2024

Respectfully submitted,

QUINN EMANUEL URQUHART & SULLIVAN, LLP

By: /s/ Luke Nikas

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CERTIFICATE OF SERVICE

I hereby certify that on June 5, 2024, I electronically filed the foregoing with the Clerk of the Court using the Court's electronic filing system, which caused all participants and counsel of record to be served, as more fully reflected on the Notice of Electronic Filing.

/s/ Heather M. LeBlanc
Counsel for Defendant