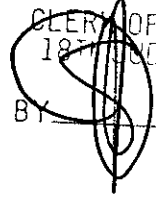


1 Chief Deputy District Attorney Kim Parker
Supreme Court #11203
2 Deputy District Attorney Ann Swegle
Supreme Court #10920
3 Office of the District Attorney
535 North Main, 2nd Floor
4 Wichita, Kansas 67203
[316] 666-3600
5
6

FILED 

2009 NOV 19 P 12:38

CLERK OF DISTRICT COURT
18TH DISTRICT
BY 

7 IN THE EIGHTEENTH JUDICIAL DISTRICT
8 DISTRICT COURT, SEDGWICK COUNTY, KANSAS
9 CRIMINAL DEPARTMENT
10

11 STATE OF KANSAS,
12 Plaintiff,

13 vs.

14 SCOTT P. ROEDER,
15 Defendant

Case No.: Case No. 09 CR 1462

16
17 **STATE'S RESPONSE TO DEFENDANT'S MOTION FOR DISCOVERY**
18

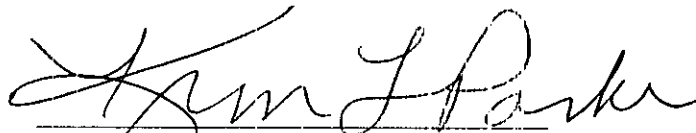
19 **Comes Now** the State of Kansas by and through its attorneys, Chief Deputy District
20 Attorney Kim T. Parker and Deputy District Attorney Ann Swegle and submits this response to
21 the defendant's motion for discovery.

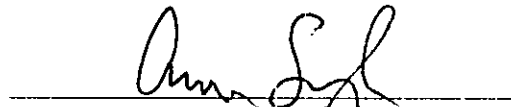
22 Defendant seeks production of the murder victim's professional calendars, appointment
23 books, records of scheduled procedures or similar documents in electronic and/or written form
24 for the dates of May 1, 2009 – June 30, 2009.
25

1 The State submits that it has a good faith belief that neither it nor its agents possess any
2 such items, and therefore cannot produce the same. The State also asserts that such items are
3 irrelevant, immaterial, and inadmissible in the trial of this matter, and they would not lead to the
4 discovery of admissible evidence.

5
6 WHEREFORE, based upon the above and foregoing, the State of Kansas respectfully
7 requests the Court overrule the defendant's motion.

8
9
10 Respectfully Submitted,

11
12 
13 _____
14 Kim T. Parker
15 Chief Deputy District Attorney, #11203


16
17 
18 _____
19 Ann Swegle
20 Deputy District Attorney, #10920

21
22
23 **CERTIFICATE OF SERVICE**

24 This is to certify that a true and correct copy of the foregoing was hand-delivered on this
25 19th day of November, 2009 to the following:

1 Mr. Charles S. Osburn
2 Mr. Mark Rudy
3 Public Defender's Office
4 604 N. Main, Suite D
5 Wichita, KS 67203

6
7
8 And a copy hand-delivered to the chambers of the Honorable Warren Wilbert on the
9 same date.
10
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25


Ann Swegle
Deputy District Attorney