

MISSK.MOT/DTS:vgk  
93-284/01-05-94

34 JUN 6 PM '94

IN THE CIRCUIT COURT OF CLAY COUNTY, ARKANSAS  
WESTERN DISTRICT  
CRIMINAL DIVISION

STATE OF ARKANSAS

PLAINTIFF *[Signature]*

VS

NO. CR-93-47

JESSIE LLOYD MISSKELLEY, JR.

DEFENDANT

DEFENDANT'S SECOND MOTION TO COMPEL DISCLOSURE OF  
DISCOVERY INFORMATION AND SECOND MOTION TO  
CONDUCT THE DEPOSITIONS OF  
INTERROGATING OFFICERS

COMES the Defendant, Jessie Lloyd Misskelley, Jr.,  
by and through his court-appointed attorneys, **Stidham &  
Crow**, and for his Motion hereby states:

1. The Defendant, Jessie Lloyd Misskelley, Jr.,  
is charged with three (3) counts of capital murder, and  
is scheduled for trial January 18, 1994.

2. This Court has previously Ordered, on October  
19, 1993, that the Defense team be allowed to inspect  
the personnel files of the Officers of the West Memphis  
Police Department. Despite several attempts to do so,  
the defense team has not yet been permitted to inspect  
said files. The Defendant respectfully requests an  
Order from the Court compelling said inspection at the  
earliest possible date.

3. This Court, on December 21, 1993, Ordered the  
officers of the West Memphis Police Department who  
participated in the interrogation of the Defendant to

make themselves available to the Defense Team, at reasonable times, and upon reasonable notice, for purposes of questioning them about the case. The Police Officers have refused to permit the Defense Team to question them about the interrogation of the Defendant, and informed the Defense team that they will not talk to them prior to trial, despite the Court's Order of December 21, 1993. The Defendant respectfully requests an Order compelling the Police and Prosecution to comply with the Court's Order and permit this questioning at the earliest possible date.

4. That due to the Officers' refusal to obey the Court's Order, it would appear that the Officers are attempting to conceal relevant information and/or exculpatory information, and as such, the Defendant respectfully requests that the Court reconsider his previous request to conduct the depositions of the Officers prior to the suppression hearing.

5. The Defendant, Jessie Lloyd Misskelley, Jr., states that under the notions of his Constitutional guarantee of a fair trial, his right to confront the witnesses against him, due process and equal protection of laws, he should be afforded the opportunity to obtain the information requested herein.

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WHEREFORE, the Defendant, Jessie Lloyd Misskelley, Jr., prays for an Order of this Court compelling the prosecution to disclose the information requested herein.

Respectfully submitted,

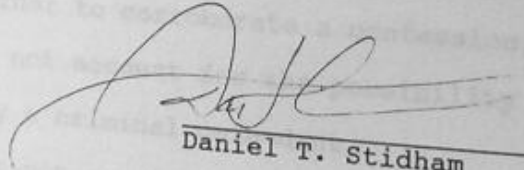
**STIDHAM & CROW**  
Attorneys for Defendant

BY: 

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CERTIFICATE OF SERVICE

I, Daniel T. Stidham, Attorney for the Defendant herein, do hereby certify that I have served a copy of the foregoing Motion upon John Fogleman, Deputy Prosecuting Attorney, P.O. Box 1666, West Memphis, Arkansas 72303, and all other attorneys of record, by placing same in the U.S. Mail this 5th day of January, 1994, with sufficient postage attached to ensure delivery.

  
Daniel T. Stidham