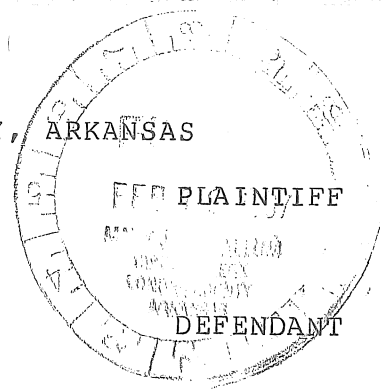


IN THE CIRCUIT COURT OF LONOKE COUNTY, ARKANSAS
STATE OF ARKANSAS
VS. NO. CR-97-9
HEATH STOCKS



RESPONSE TO DEFENDANT'S MOTION TO COMPEL
COMPLIANCE WITH DISCOVERY

Comes the State of Arkansas and for its response to the Defendant's motion states:

1. That the counsel for the Defendant has been provided with the discoverable material which the Prosecuting Attorney's Office has in its file.

2. It is the belief of the State that this material was received from the Arkansas State Police on Thursday, February 6, 1997.

3. That the Defendant received a substantial portion of this on Tuesday, February 11, 1997. The balance of the discoverable material was received by the Defendant on Thursday, February 13, 1997 by facsimile.

4. Any motion to compel is premature without merit and should be summarily denied.

5. That the State of Arkansas denies all allegations not specifically admitted herein. And states that discovery has been provided to the Defendant.

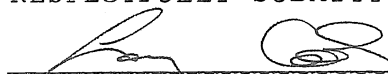
6. That pursuant to Arkansas Case Law, information requested by the Defendant "must be furnished in a sufficient time to permit

the beneficial use of it by the defense". Lewis v. State, 286 Ark. 372, 691 SW 2d 864 (1985). That providing documents to the Defendant within a week of receipt from the law enforcement agency is certainly sufficient time for beneficial use of it by the defense.

WHEREFORE, the State of Arkansas prays that the Defendant's Motion to Compel Compliance with Discovery be summarily denied and dismissed; the Court finds this motion totally without merit; and for all other proper relief.

RESPECTFULLY SUBMITTED,

BY:


LARRY K. COOK
PROSECUTING ATTORNEY
P. O. BOX 423
LONOKE, ARKANSAS 72086
(501) 676-2807

CERTIFICATE OF SERVICE

I, Larry K. Cook, hereby certify that a true and correct copy of the foregoing pleading has been sent by regular mail to Mac Carder, Attorney for the Defendant at the address of 101 East Capitol Avenue, Suite 201, Little Rock, Arkansas 72201 with sufficient postage for delivery.


LARRY K. COOK