

STATE OF MINNESOTA  
COUNTY OF HENNEPIN

DISTRICT COURT  
FOURTH JUDICIAL DISTRICT

State of Minnesota,

Case Type: Criminal  
Court File No. 27-CR-21-7460

Plaintiff,

vs.

**SUPPLEMENTAL PROSECUTION  
DISCLOSURE PURSUANT TO  
RULE 9.01, SUBD. 1**

Kimberly Ann Potter,

Defendant.

TO: The above-named defendant and defendant's counsel, Earl Gray, 1<sup>st</sup> Bank Building, 332 Minnesota Street, Ste. W1610, St. Paul, MN 55101; Paul Engh, Ste. 2860, 150 South Fifth Street, Minneapolis, MN 55402.

Pursuant to Rule 9.01, subd. 1, Minn. R. Crim. P., attached please find the following supplemental disclosure consisting of pages 9919-9933, incorporating by reference all previous disclosures:

- \_\_\_\_\_ Police/investigative report(s)
- \_\_\_\_\_ Statement(s) relating to the case
- \_\_\_\_\_ Statement(s) of the defendant and/or accomplice(s)
- \_\_\_\_\_ Social service report(s)
- \_\_\_\_\_ Search warrant(s)
- \_\_\_\_\_ Laboratory report(s)
- \_\_\_\_\_ Report(s) of medical or mental examination(s)
- \_\_\_\_\_ Criminal history information
- \_\_\_\_\_ Evidence receipt(s)
- \_\_\_\_\_ Diagram(s)/documentary exhibit(s)
- \_\_\_\_\_ Photograph(s), video tape(s), audio tape(s), and DVDs

- \_\_\_\_\_ Business/public record(s)
- \_\_\_\_\_ Spreigl material
- \_\_\_\_\_ Exculpatory material
- X   Other: Sentencing Guidelines, Excel Spreadsheet, Emails and Transcribed  
Voicemail Messages Regarding Kimberly Potter's Sentence

The State may, pursuant to Minn. R. Evid. 608(b) or any other rule, cross-examine defendant, if defendant testifies, about any of defendant's conduct that is disclosed as part of this, any previous, or any subsequent, disclosure.

PURSUANT TO MINN. R. CRIM. P. 9.03, SUBD. 4, DISCOVERY MATERIALS SHALL REMAIN IN THE CUSTODY OF DEFENSE COUNSEL, shall not be placed in defendant's custody, and shall be used by defense counsel only for the purpose of conducting that attorney's side of the case. Absent an order from the court issued upon written motion, failure to comply with Minn. R. Crim. P. 9.03, subd. 4, may result in sanctions pursuant to Minn. R. Crim. P. 9.03, subd. 8.

Dated: January 27, 2022

Respectfully submitted,

KEITH ELLISON  
Attorney General  
State of Minnesota

/s/ Matthew Frank  
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