

IN THE SUPERIOR COURT FOR THE DISTRICT OF COLUMBIA
CRIMINAL DIVISION

46
SUPERIOR COURT OF
THE DISTRICT OF COLUMBIA
CRIMINAL DIVISION

UNITED STATES,

v.

JOSEPH R. PRICE,
DYLAN M. WARD, and
VICTOR J. ZABORSKY,

Defendants.

2010 APR 30 P 3:20

Criminal No. 08-CF1-27068

Criminal No. 08-CF1-26996

Criminal No. 08-CF1-26997

Judge Lynn Leibovitz

Courtroom 310

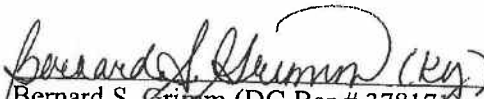
Status Hearing: May 5, 2010

NOTICE OF FILING

Defendant Joseph Price, by and through counsel, respectfully requests that the attached letter be filed in this case.

April 30, 2010

Respectfully Submitted,


Bernard S. Grimm (DC Bar # 378170)

Cozen O'Connor
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Facsimile: 877-260-9435
Email: bgrimm@cozen.com



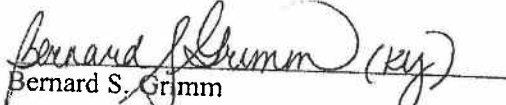
CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Notice was emailed, this 30th day of April, 2010, to:

Glenn L. Kirschner
T. Patrick Martin
Rachel Carlson Lieber
Office of the United States Attorney
555 4th Street, NW
Washington, DC 20530

David Schertler
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Bernard S. Grimm



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April 30, 2010

VIA E-MAIL AND BY HAND DELIVERY

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T. Patrick Martin, Esq.
Glenn Kirschner
Rachel Carlson Lieber
Assistant United States Attorneys
Homicide Section
555 4th Street, NW
Washington, DC 20530

Re: United States v. Joseph Price, Dylan Ward, Victor Zaborsky; 2008-CF1-027068; 2008-CF1-026996; 2008-CF1-026997

Dear Pat:

On September 11, 2010, you stated to the court that "there's no indication of restraint." Hearing Tr. 47:22-23 (Sept. 11, 2010).

Now, contrary to that position, the government is claiming that there were, in fact, restraints used. Obviously, you would not make that claim without a good faith basis.

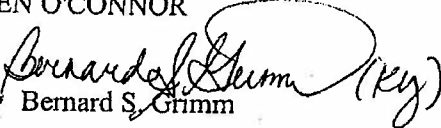
Pursuant to *Brady v. Maryland*, 373 U.S. 83, (1963), we request any testimony, witnesses, or other evidence which supports this claim. Due to the quickly approaching trial date, we request that you provide us with this information prior to the close of business on Monday, May 3, 2010.

Thank you for your prompt attention to this request.

T. Patrick Martin, Esq.
April 30, 2010
Page 2

Sincerely,

COZEN O'CONNOR

By:  Bernard S. Grimm

BSG

cc: Clerk of the Court
David Schertler
Robert Spagnoletti
Veronica Jennings
Thomas Connolly
Amy Richardson