

WEDNESDAY, OCTOBER 1, 2008
11:00 A.M.

NO. 3

#24807

STATE OF SOUTH DAKOTA,
Plaintiff and Appellee,

vs.

KASEY ONKEN,
Defendant and Appellant.

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Rapid City SD 57701-2895
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(FOR APPELLANT)

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(FOR APPELLEE)

The Honorable John J. Delaney
Seventh Judicial Circuit
Pennington County

(CR 06-2781)

STATEMENT OF LEGAL ISSUES

- I. WHETHER THE TRIAL COURT ERRED IN DENYING
ONKEN'S REQUEST FOR A MISTRIAL OR CONTINUANCE
FOR THE VIOLATION OF THE TRIAL COURT'S
DISCOVERY ORDER?

The trial court denied the motion for a mistrial or
continuance.

Pennsylvania v. Ritchie, 480 U.S. 39, 59, 107 S.Ct. 989,
94 L.Ed.2d 40 (1987)

State v. Archambeau, 333 N.W.2d 807 (S.D. 1993)

State v. Karlen, 1999 S.D. 12, 589 N.W.2d 594

State v. Matson, 2005 S.D. 71, ¶13, 698 N.W.2d 535

SDCL § 22-22-7

SDCL § 22-22-30.1

SDCL § 23A-13-17