

**SUPERIOR COURT
OF THE
STATE OF DELAWARE**

VIVIAN L. RAPPOSELLI
JUDGE

NEW CASTLE COUNTY COURTHOUSE
500 NORTH KING STREET, SUITE 10400
WILMINGTON, DE 19801-3733
TELEPHONE (302) 255-0626

November 1, 2013

Periann Doko, DAG
Delaware Department of Justice
820 North French Street, 7th Floor
Wilmington, DE 19801

Ross C. Karsnitz, Esquire
Assistant Public Defender
900 North King Street
Wilmington, DE 19801

Re: *State of Delaware v. Richard A. Williams*
ID# 1210010765

Dear Counsel:

Defendant filed a Motion to File Motion to Suppress Out of Time on October 29, 2013. The State submitted its response on November 1, 2013. Trial in this matter is scheduled for November 14, 2013.

This Court only considers late-filed motions to suppress upon a showing that “exceptional circumstances prevented the filing of a timely motion.”¹ In nearly a full year since Defendant was indicted, there have been no previous attempts to raise the suppression issue. Defendant has not alleged that the delay is warranted by the existence of any new evidence. While the Court is sympathetic to prior defense counsel’s significant health issues, Defendant’s contention that these medical reasons “may have interfered with his ability to file” a suppression motion does not satisfy the above standard. This is especially true given that this matter has been scheduled seven times and defense counsel has had ample opportunities to file pre-trial motions, and elected not to do so.

Accordingly, Defendant’s Motion to File Motion to Suppress Out of Time is **DENIED**.

Very truly yours,

/s/Vivian L. Rapposelli
Judge Vivian L. Rapposelli

VLR/sj

¹ *Davis v. State*, 38 A.3d 278, 281 (Del. 2012).

Re: Andre L. Ramsey
Page 2

cc: Prothonotary