

**IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OH OHIO  
EASTERN DISTRICT**

<b>UNITED STATES OF AMERICA,</b>	:	
		<b>CR -2-04-152</b>
<b>Plaintiff,</b>	:	<b>JUDGE SARGUS</b>
v.	:	
<b>TIFFANY NICHOLAS,</b>	:	
<b>Defendant.</b>	:	

**MOTION TO COMPEL DISCOVERY**

Now comes the Defendant, Tiffany Nicholas, by and through her undersigned counsel, and hereby respectfully requests pretrial discovery of the original crime scene fingerprint impression on the subject checks relating to Defendant. Defendant demands to know whether the image compared to the Defendant’s ink print was the original impression found on the submitted checks. If not, Defendant demands to know how law enforcement generated the image that was compared to the ink compressions. If the image was created by computer, Defendant demands to know the software that was used to produce the image and what research has been done to validate the accuracy of that software.

\_\_\_\_\_ If the original impression is no longer available, Defendant demands to know what happened to the original impression and if it was destroyed, why and who destroyed it.

\_\_\_\_\_ Respectfully submitted,

S/Neil W. Rosenberg  
Neil W. Rosenberg (0005771)  
Trial Attorney for Defendant Nicholas  
400 South Fifth Street, Suite 102  
Columbus, Ohio 43215  
(614) 464-2213

**CERTIFICATE OF SERVICE**

\_\_\_\_\_ The undersigned certifies that a true copy of the foregoing was electronically delivered to the Brenda Shoemaker, Assistant County Prosecutor, 303 Marconi Blvd, Suite 200, Columbus, Ohio 43215 this 22<sup>nd</sup> day of February, 2005.

S/Neil W. Rosenberg  
Neil W. Rosenberg (0005771)  
Trial Attorney for Defendant Nicholas