

## **(2) Judge Morse Evidentiary Hearing Transcript**

*Q [MR. HAEG]. Did you file a pretrial discovery request while you represented me?*

*A [MR. ROBINSON]. Yeah.*

*Q. Was it violated?*

*A. In what way?*

*Q. Did you ask, for anything that would be used against me at trial, to be given a copy of it to you before trial?*

*A. I believe, Mr. Haeg, what I did in your case, as I did in all of my criminal cases, is that I sent a standard broad request to the District Attorney's Office to reveal to me any and all evidence that it had in its possession regarding the charges against you. So I sent them a letter, yeah.*

*Q. Okay. Is it true that they used a map against me at trial that we, you and I, never got a copy of before trial?*

*A. I learned that later.*

*THE COURT [JUDGE MORSE]: -- so, Mr. Robinson, did you get a transcription of this tape that supposedly shows the state and the -- the prosecutor and the trooper talking about falsification or something like that?*

*A. Prior to trial?*

*THE COURT: Ever.*

*A. I didn't get anything prior to trial. And most recently, probably within the last year or so, Mr. Haeg showed me a transcript of an interview that Trooper Gibbens and Scott Leaders had --*

*THE COURT: -- is an interview of Leaders, Gibbens, and Zeller [sic]?*

*A. Correct. But, I mean, I -- by the time Mr. Haeg showed that to me, I'd already retired. I retired in January --*

*THE COURT: Right.*

*A. -- 2011.*

*THE COURT: You may be coming back. But you got it way back when. And this is nothing that you had seen prior to trial?*

*A. Prior to trial, no. [Tr. 174-210]*