

1 **RESNICK LAW GROUP, PLLC.**
100 North Stone Avenue, Suite 801
2 Tucson, Arizona 85701
Telephone: (520) 903-9938
3 Facsimile: (520) 882-8622
4 **Mark R. Resnick, SB# 19272, PCC# 65338**
resnicklawfirm@gmail.com
mresnick@resnicklawgroup.net
5 Attorney for Defendant

6
7 **IN THE ARIZONA SUPERIOR COURT**
8 **FOR THE COUNTY OF PIMA, STATE OF ARIZONA**

9 STATE OF ARIZONA,
10
11 Plaintiff,

12 v.

13 LANE MYERS,
14
15 Defendant.

Case No. CR20251060-001

MOTION TO PRECLUDE

Assigned: Hon. D. Metcalf

16
17 COMES NOW the Defendant, LANE MYERS, by and through undersigned counsel and
18 hereby moves to preclude for the state the use at trial of any of the videos disclosed to the defense at
19 16:15 on August 12, 2026.

20
21 At 16:15 on August 12, 2026 the state disclosed, with no reference to this case, a dump of
22 approximately 35 files of videos and jpegs. There is simply no time for the defendant to go through
23 this trove of material to determine which videos are exculpatory or could be used for impeachment,
24 not only of witnesses. Who have testified, but also of witnesses who are currently testifying.

25 If the state had these materials prior to the beginning of this case, then the failure to disclose
26 them can only be seen as deliberate. Counsel is without guidance on the state's intent, as they were

1 disclosed without notice and counsel has received no communication from the state even attempting
2 to explain what they are, or how the state intends to use them.

3 Accordingly, and because any explanation will necessarily occur in the morning, during the
4 hearing, defendant is effectively barred from going through them and preparing for the states use of
5 them. They should be precluded.
6

7
8 RESPECTFULLY SUBMITTED this _12th_ day of August, 2026.

9 **RESNICK LAW GROUP, PLLC.**

10
11 By: /s/ Mark R. Resnick
12 Mark R. Resnick
13 Attorney for Defendant

14 Electronically Filed and electronically distributed to the following parties:

15 Clerk of the Court
16 PIMA COUNTY SUPERIOR COURT

17 The Honorable D. Metcalf
18 PIMA COUNTY SUPERIOR COURT

19 RESNICK LAW GROUP, PLLC
resnicklawfirm@gmail.com

20 PIMA COUNTY ATTORNEY'S OFFICE
Efile.felony@pcao.pima.gov
21
22
23
24
25
26