

FILED

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CHEROKEE NATION
DISTRICT COURT
KRISTI MONCODYEA
COURT CLERK

IN THE DISTRICT COURT OF THE CHEROKEE NATION
CRIMINAL DIVISION

CHEROKEE NATION,)	
)	
Plaintiff,)	
)	
Vs.)	CM 2016-54
)	
KIMBERLIE A. GILLILAND,)	
)	
Defendant.)	Judge Fite

**DEFENDANT'S MOTION TO COMPEL DISCOVERY
AND STAY PRODUCTION OF DISCOVERY REQUESTED BY THE CHEROKEE
NATION**

COMES NOW the Defendant in the above-styled case, by and through her attorney of record, and moves this Court to compel the Cherokee Nation (“Nation”) to produce a “investigative report provided to the office of the Cherokee Nation Attorney General in preparation for this action.” The Cherokee Nation denied production of the subject investigative report. The Nation in is response to Production of Documents stated:

19. EXPERT RECORDS: Any and all examination reports prepared by any Cherokee Nation agency including all forensic accounting and/or audits.

Those audits will be provided in the hard copies of discovery being prepared for defense counsel. The only “audit” or report that will not be provided is that investigative report provided to the office of the Cherokee Nation Attorney General in preparation for this action.

The Defendant is entitled to the “investigative report provided to the office of the Cherokee Nation Attorney General in preparation for this action.”

Further, Defendant moves the Court to issue a stay of the Nation’s Motion for Discovery and Production of Records until it completes its response to the Defendant’s Motion for Discovery and Production of Records.

Submitted this 8TH day of September, 2016.



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Certificate of Delivery

I, Chadwick Smith, do hereby certify that on the 8th day of September, 2016, pursuant to CNDC Rule 7, I emailed a true and complete copy of the foregoing document to the persons listed below:

Diane Hammons
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Chadwick Smith