

ORIGINAL

DOCKET NO. S-20651A-09-0029



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Arizona Corporation Commission

DOCKETED

Motion to Compel Discovery
Respondent: Kyle Schmierer

RECEIVED

AUG 21 2009

Docket Control Arizona Corporation Commission
1200 West Washington Phoenix, AZ 85007

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AZ CORP COMMISSION
DOCKET CONTROL

I assert my right to compel the Arizona Corporation Commission to provide the information I must have for a fair trial under a Brady Motion in this case. Brady motion is a defendant's request for evidence concerning a material witness which is favorable to the defense and to which the defense may be entitled. Favorable evidence includes not only evidence that tends to exculpate the accused, but also evidence that may impeach the credibility of a government witness. A Brady violation has occurred where the Arizona Corporation Commission has failed to disclose evidence to the defense that is depriving this defendant of a fair trial.

The full information on Peggy Scozzari who is listed as the person that misrepresented themselves as an accredited investor and lied to get proprietary and confidential business property that the AZ Corporation Commission abused in their malicious prosecution for the purpose of extortion of the defendant/respondent. The ability to contact, interview and compel Peggy Scozzari to testify under oath under cross examination is absolutely essential to any defense. The Arizona Corporation Commission Securities Division has intentionally blocked out and refused multiple requests for this person's information in order to deny me a fair trial.

I assert my constitutional right to cross examine and get testimony under oath from all the parties named below and others that may be required to receive a fair trial. I must have all names, business and home addresses and phone numbers of all the people listed so they may be subpoenaed and called to testify under oath under my cross examination.

PRELIMINARY: Witnesses to be called at a jury trial under oath

1. Julie A. Coleman, Chief Counsel of Enforcement
2. Wendy L. Coy, Senior Counsel
3. Associate of Wendy L. Coy and employee of Securities division that always accompanies Wendy L. Coy to all hearings – name unknown and not provided
4. Matthew J. Neubert, Director Securities Division
5. Mr. Marc E. Stern, Administrative Law Judge
6. Peggy Scozzari
7. And any other person(s) that illegally provided proprietary information under false pretenses
8. Mark Dinell

The Arizona Corporation Commission Securities Division must be compelled to provide all my requested and required information in this motion and any exculpatory evidence or documents in their position.

The Arizona Corporation Commission Securities Division must be compelled to provide the respondent copies of all hearing and interviews conducted by them, including on: testimony from 2-26-09 and prehearing on 3-23-09

Sincerely, Kyle Schmierer 8-21-2009

8-21-09