

**COMMONWEALTH OF KENTUCKY**  
**41<sup>st</sup> JUDICIAL CIRCUIT**  
**BELL CIRCUIT COURT**  
**CRIMINAL DIVISION**  
**INDICTMENT NO. 23-CR-00399**  
*Electronically Filed*

**COMMONWEALTH OF KENTUCKY**

**PLAINTIFF**

**V. MOTION TO DISMISS OR STRIKE DEATH AS AN AVAILABLE PENALTY**

**ERICA LAWSON**

**DEFENDANTS**

**NOTICE**

Please take notice that the foregoing Motion will be brought before the Court, Honorable Keith Nagle, Judge of the Bell Circuit Court, Bell County Courthouse, Pineville, Kentucky on Monday, January 29, 2024 at the hour of 1:30 p.m. or as soon thereafter as counsel may be heard.

**MOTION**

Six months ago, the Commonwealth convened a special grand jury to rush an indictment of Erica Lawson regarding the death of her daughter. The indictment charges the intentional cause of death of her child by failure to render medical aid.<sup>1</sup> This is, of course, a theory of culpability that is inconsistent with the law of the Commonwealth. The Commonwealth Attorney’s rote recitation of the word “intentional” in front of described conduct that the Kentucky Supreme Court has repeatedly held is, at its maximum, Wanton Murder, has permitted the Commonwealth Attorney to seek death in this matter.<sup>2</sup> In fact, it is clear that the shoehorning of the word intentional was calculated to make this case death eligible because it is the only theory of culpability that would permit such under the recently enacted amendment to the capital eligibility statute.

---

<sup>1</sup> Exhibit A—The indictment of Erica Lawson in the instant action.

<sup>2</sup> See *Futrell v. Commonwealth*, 471 S.W.3d 258 (Ky. 2015) and *Tharp v. Commonwealth*, 40 S.W.3d 356 (Ky. 2000).

Promptly following this defective indictment, the Commonwealth Attorney took to social media proudly declaring her intent to kill Erica Lawson by operation of law.<sup>3</sup> The Commonwealth Attorney made numerous social media comments regarding her intention to do so under the defective indictment.<sup>4</sup> It is notable that all of this occurred during her campaign to become Circuit Judge and against the backdrop of rumors and accusations that Erica permitted her child to be raped and abused by multiple men. The Commonwealth Attorney has made social media statements regarding DNA proof regarding this matter.<sup>5</sup> In fact some time on or after August 23, 2023 the Commonwealth Attorney made social media posts that DNA results were coming and arrests would be made. What the Commonwealth has not disclosed is that the results of testing for genetic material indicate a complete absence of male DNA on or in this child.<sup>6</sup> These results were available in August of 2023 but mysteriously only recently disclosed to the Defense at the last court date. The report of those results was issued on August 16, 2023. Simply stated, there is zero evidence that the child was sexually abused by any person, let alone that Erica permitted or solicited it. Curiously, the Commonwealth has not seen fit to publicly and proudly announce these facts.

Immediately following the return of the defective indictment against Ms. Lawson, the Defense filed a Motion For Bill of Particulars requesting the Court to direct the Commonwealth to state the theory of intentionality rather than wantonness of result as well as the bases of culpability for the charges that accompany it.<sup>7</sup> The Defense made this motion at Arraignment on September 5, 2023 pursuant to RCr 6.22 and *James v. Commonwealth*, 482 S.W.2d 92 (Ky. 1972) (“Upon

---

<sup>3</sup> Exhibit B—Shall be provided to the Court in electronic format at the direction of the Court.

<sup>4</sup> Exhibit C—Social media posts by the Commonwealth Attorney.

<sup>5</sup> Exhibit D—Social Media posts by the Commonwealth Attorney.

<sup>6</sup> Exhibit E—Results of genetic testing by the Kentucky State Police Crime Laboratory.

<sup>7</sup> Exhibit F—Motion for Bill of Particulars filed with the Court on August 23, 2023.

**cause shown it is mandatory that the court direct the filing of a bill of particulars unless the motion is made after arraignment,** in which event it becomes discretionary with the court as to whether the motion by sustained.”) (emphasis added). The Defense raised four (4) issues in its motion. The Commonwealth itself agreed to respond to the issue of intentionality as to murder, although it awaited the Court’s decision on the remaining issues before it did so. The Commonwealth has been aware for five (5) months that it would be called to answer for its bald assertion of intentionality. On December 21, 2023 the Court entered an order directing the answer of these questions by the Commonwealth.<sup>8</sup> The Court granted the Commonwealth fifteen (15) days to come up with some response to this issue which has lingered for five (5) months.

The Commonwealth has blown past that date without even an indication that additional time would be needed to respond. Instead, the Commonwealth has continued to show that it has no intention of actually answering the critical questions necessary to maintain a capital prosecution. As the Kentucky taxpayer continues to foot the bill for a capital prosecution and defense and the exorbitant additional expense required because of it the Commonwealth refuses to establish basic facts related to this determination. Rather than admit that there is no factual or legal basis for a charge of intentional rather than wanton murder the Commonwealth would rather watch hundreds of thousands to millions of dollars be set alight on the steps of the courthouse.

This is a willful rather than technical or unintentional violation of the Court’s order. The Commonwealth has known that it is under this obligation for an extended period. Defense Counsel chose to construe the Court’s order as loosely as possible before moving this Court to dismiss or sanction the Commonwealth; reading it as perhaps excluding weekends and holidays from the time calculation. Under this calculation the Commonwealth has received multiple additional weeks of

---

<sup>8</sup> Exhibit G—Order directing the provision of responses to the Defense Motion For Bill of Particulars.

time. Simply stated, the Commonwealth will not comply with this order because it is aware that by doing so it will have to acknowledge that the conduct that it alleges is not capital eligible. This refusal to comply, again, occurs against the backdrop of the Commonwealth's contested attempt to be reelected.

Kentucky courts have an, "inherent supervisory power to protect the integrity of the judicial process from fraud and bad faith conduct." *Commonwealth v. Baker*, 11 S.W.3d 585, 589 (Ky. App. 2000) (citing *Potter v. Eli Lilly & Co.*, 926 S.W.2d 449 (Ky. 1996)). It is well accepted that a Kentucky trial court, exercising this inherent authority, may go as far as the extreme remedy of complete dismissal of an indictment in the face of prosecutorial misconduct. *Commonwealth v. Grider*, 390 S.W.3d 803 (Ky. App. 2012). The Commonwealth's flagrant conduct here rises to that level. The Commonwealth has created a spectacle of a tragedy and then continually refused to comply with the Court's order. The Commonwealth's noncompliance is in bad faith and calculated to prevent this Court from adjudicating the claims before it. The Commonwealth's misconduct will continue to result in serious prejudice to the Defendant in the form of defense against a potential death penalty where the law is clear that she is not eligible. The Commonwealth continues to benefit from its noncompliance with the Court's order by its continued pursuit of death in this noneligible indictment.

For these reasons the Defendant respectfully requests this Court dismiss the instant indictment against her. If the Court finds that this remedy is too extreme the Defendant respectfully requests this Court remove the death penalty as a sentencing option as a sanction against the Commonwealth to ensure that it does not benefit from its contumacious conduct.

Respectfully Submitted,

/s/ Gregory Coulson  
Gregory E. J. Coulson

Coulson Law Offices, PLLC  
157 North Limestone Street  
Lexington, Kentucky 40507  
DEFENSE COUNSEL

**CERTIFICATE OF SERVICE**

I do hereby certify that a true and accurate copy of the foregoing Motion to Dismiss or Alternatively to Strike Death has been served via email and electronic filing on the Commonwealth Attorney's Office and a courtesy copy provided to the Court on this 25<sup>th</sup> day of January, 2024.

/s/Greg Coulson  
Hon. Gregory E. J. Coulson

# EXHIBIT A

DIS : 000006 of 000029

CLASS A (COUNT I)  
 UOR Code # 09156  
 CLASS B MISDMEANOR (COUNT II)  
 UOR Code # 02795  
 CLASS B (COUNT III)  
 UOR Code # 13239  
 CLASS D (COUNT IV)  
 UOR Code # 13201

FILED  
 COLBY SLUSHER  
 AUG 22 2023  
 BELL CIRCUIT COURT CLERK  
 BY: *[Signature]* D.C.

COMMONWEALTH OF KENTUCKY  
 44TH JUDICIAL CIRCUIT  
 BELL CIRCUIT COURT  
 INDICTMENT NO. 23-CR-399

KRS 507.020 MURDER – (COUNT I)  
 KRS 620.030 FAILURE TO REPORT CHILD DEPENDENCY NEGLECT  
 OR ABUSE, FIRST OFFENSE – (COUNT II)  
 KRS 508.100 (c) CRIMINAL ABUSE IN THE FIRST DEGREE – (COUNT III)  
 KRS 508.060 WANTON ENDANGERMENT IN THE FIRST DEGREE –  
 (COUNT IV)

COMMONWEALTH OF KENTUCKY, PLAINTIFF,

VS: INDICTMENT

ERICA L. LAWSON  
 DOB: \*\*/\*\*/02  
 SS#: \*\*\*-\*\*-5388  
 c/o Leslie County Detention Center  
 22010 Main Street  
 Hyden, Kentucky 41749,

DEFENDANT.

THE BELL COUNTY GRAND JURY CHARGES that from on or about the 3<sup>rd</sup> day of July, 2023 through the 30<sup>th</sup> day of July, 2023, in Bell County, Kentucky, the Defendant committed the following offenses:

**COUNT I**

Murder by intentionally causing the death of E.H., a child under the age of 12, by failing to provide aide to E.H., her 17-month-old daughter, who was unable to breathe,

AND THE BELL COUNTY GRAND JURY FURTHER CHARGES:

**COUNT II**

That at the same time and place the Defendant committed the offense of Failure to Report Child Dependency, Neglect, or Abuse as a First Offense, by knowing that her 17-month-old daughter, E. H., had been abused, and not reporting the abuse.

AND THE BELL COUNTY GRAND JURY FURTHER CHARGES:

**COUNT III**

That at the same time and place the Defendant committed the offense of Criminal Abuse in the First Degree by physically abusing her 17-month-old daughter, E. H., leaving bruises on her,

AND THE BELL COUNTY GRAND JURY FURTHER CHARGES:

**COUNT IV**

That at the same time and place the Defendant committed the offense of Wanton Endangerment in the First Degree when she wantonly engaged in conduct which created a substantial danger of death or serious physical injury to E.H., her 17 month old daughter, by using drugs in her presence while she was in the caretaking role of the minor child,

AGAINST THE PEACE AND DIGNITY OF THE COMMONWEALTH OF KENTUCKY,



A TRUE BILL

Jamie H. Miller  
Foreperson of the Grand Jury

Presented by the Foreperson in the presence of the Grand Jury in open Court on this 22 day of Aug, 2023.

[Signature]  
CLERK, Bell Circuit Court

WITNESSES:

- Lieutenant Barry Cowan, Middlesboro Police Department
- Officer Caleb Ayers, Middlesboro Police Department
- Taylor Miracle
- Jason Steele, Bell County Deputy Coroner

MMJ / special judge  
8/22/23  
PT to interview

(23-F-00508)

DIS : 000009 of 000029

# EXHIBIT B

# EXHIBIT C

DIS : 000011 of 000029



1



13

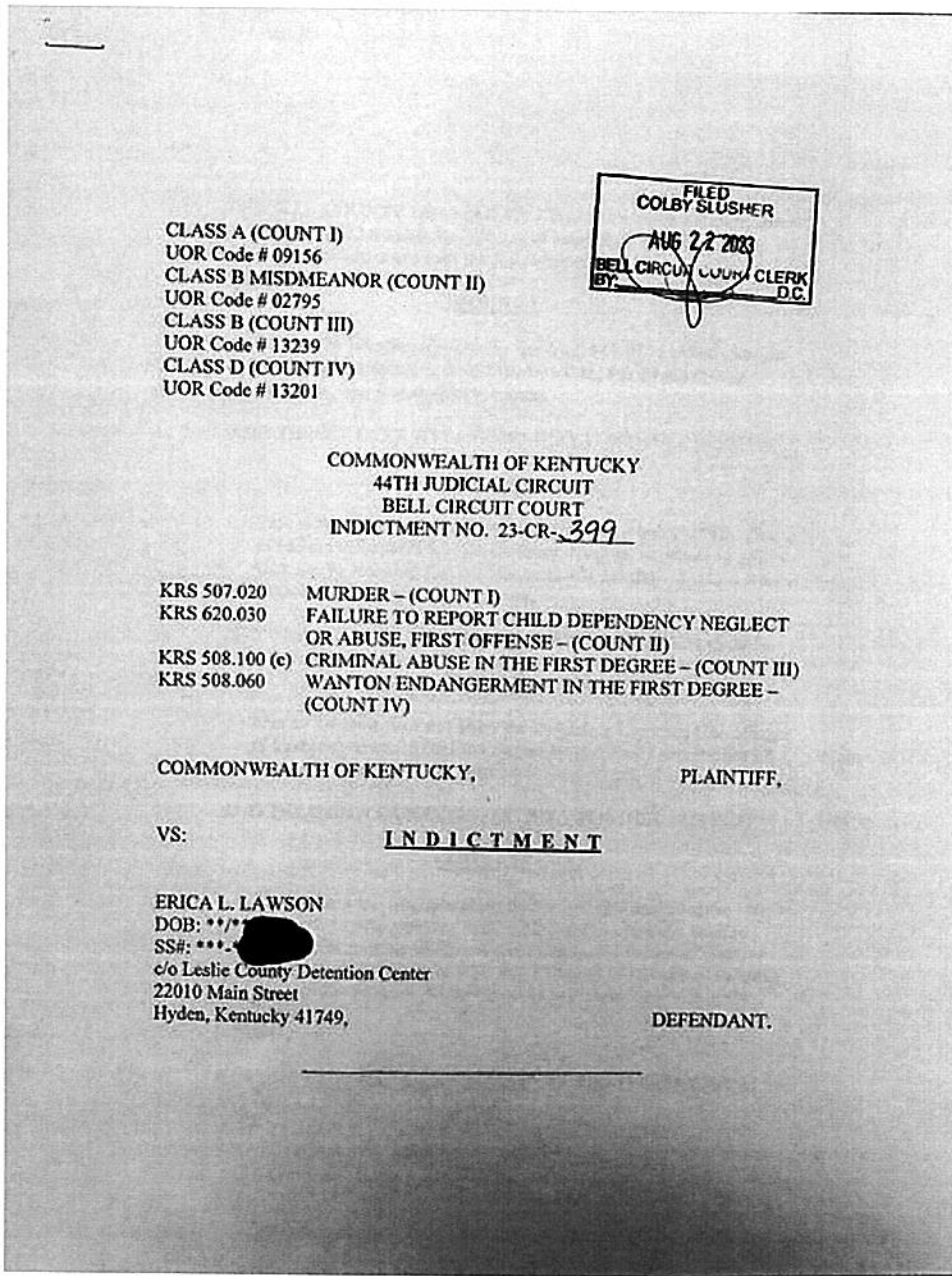


Lisa Fugate

August 22 at 11:48 AM · 🌐



Today, I had the privilege of presenting the case against Erica Lawson to a Bell County Grand Jury. I am proud to say Erica Lawson now stands charged with the murder of her 17 month old baby.



👍 621

153 comments 383 shares

Like

Comment

Share

# EXHIBIT D

DIS : 000013 of 000029



**Rebecca Boggs**

Now let's go get the rest of em. Y'all have a whole community behind you. We're all here. We want to KEEP OUR CHILDREN SAFE.

Like Reply 2d



**Aprille Richmond**

**Rebecca Boggs** Harlan County stands behind you all as well. We want all of these evil poor excuse of a human brought down. This baby deserves justice.

Like Reply 2d



**LeeAnna Danyelle Nichols**

**Jennifer Berkebile Spradlin Kaylyn Elizebeth**

Like Reply 2d



**Mike Kinder**

Great job!!

Like Reply 2d



**Brittany Miller Martin**

That's great and all but what about the men who were raping and abusing her!?!?

Like Reply 2d



**Danielle Ramey**

**Brittany Miller Martin** I was wondering the same I am so glad Erica has been held accountable for these actions. But what about the men?!

Like Reply 2d



**Lisa Fugate**

**Brittany Miller Martin** unfortunately the DNA results are not back yet. They expect them anytime, and I completely expect additional arrest(s) then.

Like Reply 2d



**Theresa Hendrickson**

**Lisa Fugate** can't you rush the results up? I mean this was a Brutal murder for this child. It's been 3 weeks almost. These monsters need to pay for this precious baby's life

Like Reply 1d Edited

DIS : 000014 of 000029



**Megan Desai Gray**

What about the rest of the guilty people involved?  
Where's their charges?

Like Reply 2d



**Beth Howerton Davis**

**Megan Desai Gray** I've heard they're waiting on DNA to come back before any one else will be charged. I read somewhere that the DNA was expedited and will be back by august 25. I hope that's true.

Like Reply 2d



**Megan Desai Gray**

**Beth Howerton Davis** if it's taken that long, whoever is GUILTY, is probably long gone by now ..or they'll never find them.

Like Reply 2d



**Lisa Fugate**

**Beth Howerton Davis** DNA was expedited, but no specific return date. The results could come back any day now though.

Like Reply 2d



**Anita Tindell**

**Lisa Fugate** Thank you for the update

Like Reply 2d



**Beth Howerton Davis**

**Lisa Fugate** oh ok thanks for clearing that up for me!

Like Reply 1d



**Beth Howerton Davis**

**Lisa Fugate** thank you for all your hard work on this case.

Like Reply 1d



**Kat Brown**

**Lisa Fugate** ....Curious, will the mother not state who the men are?

Like Reply 1d



**Lisa Fugate**

**Kat Brown** no

Like Reply 1d



1



13



**Mechille Woolum Burke**

Great job, Lisa. Prayers for you and all who are working this case. Chris Douglas is my cousin.

**#justiceforbabyelena**

Like Reply 2d Edited



**Lynn Lawson Wagner**

That baby did not deserve what happened to her, and I hope ALL involved go to prison for the rest of their lives.

Thank you Lisa for doing a job well done. 🙏🙏🙏🙏🙏

Like Reply 2d Edited



**Theresa Hatfield**

Great news, but there will be even greater relief when the monsters that had a hand in the babies death get held accountable ..

Like Reply 2d



**Tasha Armstrong**

Thank u Lisa fugate for doing a wonderful job and making sure these ppl pay for what they did to that baby

Like Reply 2d



**Brian Allen**

Awesome!!! 🙏

Like Reply 2d



**Michaela Gray**

Praise god!! Thank you for what you do in our tiny community! **#JusticeForElena**

Like Reply 2d



**Shay Seaton**

Thank you for the job you're doing. I moved from Middlesboro in Feb of 2023. Im keeping up with this case, This baby deserves justice to the full extent. 🙏



Like Reply 2d



**John Marcum**

I hope you did it with evil intent 😏

Like Reply 2d



**Lisa Fugate**

**John Marcum** and just like that you cheer me up!!

She deserves far worse than any sentence I can



# EXHIBIT E

DIS : 000017 of 000029

LABORATORY#: 23-C-04818 REPORT#: 1  
AGENCY: Middlesboro Police Department  
COUNTY: Bell  
AGENCY CASE#: 23-0782  
CASE OFFICER: C. Ayers  
RE: [REDACTED]



100 Sower Blvd. Suite 102  
Frankfort, KY 40601  
Telephone #: (502) 564-5230  
Fax #: (502) 564-4821

[REDACTED] (V)  
[REDACTED] (S)  
[REDACTED] (S)  
[REDACTED] (S)  
[REDACTED] (S)  
[REDACTED] (S)

REPORT OF FORENSIC LABORATORY EXAMINATION

MATERIAL SUBMITTED:

- Item 3 DI#(3): Sexual Assault Evidence Collection Kit Received on: 08/01/23  
from [REDACTED] containing:
- Item 3.1: Vaginal swabs Received on: 08/01/23
- Item 3.2: Buccal standard Received on: 08/01/23
- Item 3.3: Oral swabs Received on: 08/01/23
- Item 3.4: External genital swabs Received on: 08/01/23
- Item 3.5: Anal swabs Received on: 08/01/23

EXAMINATION REQUESTED:

Rapid Deoxyribonucleic Acid (DNA) Analysis

RESULTS AND CONCLUSIONS:

No male DNA was detected on Items 3.1, 3.3, 3.4 or 3.5; therefore, Rapid DNA Analysis will not be performed on these Items.

No further analysis was conducted.

METHODS:

Quantifiler(TM) Trio Y-screen: Items 3.1, 3.3, 3.4 and 3.5

Results relate only to the items or sampling of items tested.

EVIDENCE DISPOSITION:

Item 3 will be held for additional analysis.

SARA L. LAMB



**Date Analysis Started:**08/02/23  
**Date Analysis Completed:** 08/15/23  
**Date Report Issued:** 08/16/23

*Sara Lamb*  
Sara L. Lamb  
Forensic Scientist Specialist II

DI# = department item number

Unless otherwise noted in the report, this evidence is available for release.

Evidence descriptions were obtained from agency information, item packaging, observations and/or previous reports.

SARA L LAMB

Bioc.dot Version 04  
Page 2 of 2  
EFFECTIVE DATE 02/01/20  
Authority: KSP Laboratory System Director

# EXHIBIT F

**COMMONWEALTH OF KENTUCKY  
BELL CIRCUIT COURT  
CRIMINAL DIVISION  
DIVISION XII  
*Electronically Filed***

**COMMONWEALTH OF KENTUCKY**

**PLAINTIFF**

**V.**

**MOTION FOR BILL OF PARTICULARS**

**23-CR-0399**

**ERICA LAWSON**

**DEFENDANTS**

**NOTICE**

Please take notice that the foregoing Motion will be brought before the Court, Honorable Thomas Jones, Special Judge of the Bell Circuit Court, Bell County Courthouse, Pineville, Kentucky on Tuesday, September 5, 2023 at the hour of 9:00 a.m. or as soon thereafter as counsel may be heard.

Comes the Defendant, Erica Lawson, by counsel, pursuant to the United States and Kentucky Constitutions, relevant statutes and case law and the Kentucky Rule of Criminal Procedure (RCr) 6.22 and hereby moves this Honorable Court to order the Commonwealth of Kentucky and/or its agents to furnish to the defense a bill of particulars enumerating the following:<sup>1</sup>

- 
1. For the purposes of this motion, "Commonwealth of Kentucky" includes the County Attorney and his agents, any other prosecutor; any law enforcement agency and its officers, agents and employees; any governmental agency and its officers, agents and employees; any government sponsored or approved victim advocacy agency and its officers, agents and employees; and any other person or persons acting in conjunction with the Commonwealth of Kentucky, law enforcement or prosecutor. For the purposes of this motion, the items requested include items within the actual or constructive possession, custody, control or knowledge of the Commonwealth of Kentucky and items which may become known, identified or available through the exercise of due diligence by the Commonwealth of Kentucky and thereby come within actual or constructive possession, custody, control or knowledge of the Commonwealth of Kentucky. *See generally, RCr 7.24; Eldred v. Commonwealth, 906 S.W. 2d 694 (Ky. 1994) abrogated*

DIS : 000021 of 000029

The indictment taken on its face is insufficient to properly appraise the Defendant and her Counsel of the nature of the charges against her and the factual circumstances surrounding the charges. Specifically, the indictment charges Erica with Murder, "...by intentionally causing the death of E.H., a child under the age of 12, by failing to provide aide [sic] to E.H., her 17-month-old daughter, who was unable to breathe." Here the Commonwealth states an intentional killing and then goes on to describe wanton conduct in a failure to treat scenario. Of interest is the headline of the indictment which creates a timeframe of twenty-seven days where all of this alleged conduct is to have occurred. When taken together with the second count of the indictment the water becomes murkier.

Count II of the indictment indicates that E.H. was abused by a person other than Erica and that Erica failed to report that conduct. It fails to state who the abuser is, when the abuse happened, and any indication of when Erica became aware of the alleged abuse. Again, a twenty-seven day window is cited for all of the alleged conduct without any specificity whatsoever.

In the least specific allegation of the indictment the Commonwealth simply states that Erica committed "Criminal Abuse in the First Degree by physically abusing her 17-month-old daughter, E.H., leaving bruises on her." No act is alleged and the Count is simply a statement of guilt without reference to any act or omission of abuse which would constitute an offense under the statute which contemplates multiple potential bases

---

*on other grounds by Commonwealth v. Barroso*, 122 S.W.3d 554 (Ky. 2003) ("Commonwealth's obligation includes records actually in the hands of the prosecutor, its investigator, and any other agencies of the state."); *Commonwealth v. Key*, 633 S.W.2d 55 (Ky. 1982) ("Commonwealth" includes both the Commonwealth's Attorney and the County Attorney.); *Gaston v. Commonwealth*, 545 S.W.2d 941 (1977) (when a discovery motion is made, the right of police department to do with an item as it wants must cease) and *James v. Commonwealth*, 482 S.W.2d (Ky. 1972) (reports given by chemist to police are discoverable).

of culpability. Counsel can assume that the language used contemplates that the government alleges that Erica herself is responsible for the infliction of the injuries however this still fails to discern which of the three distinct bases of culpability are present under the statute. Further, within this statute there is an element related to mental state which is neither pled nor alluded to. Again, the nearly month long window is cited leaving the Defendant no opportunity to disprove the unprovable or to mount any meaningful defense.

Cout IV of the indictment comes closer to stating an offense under the short-form approach to indictments but continues to provide a period of time during which the offense might have occurred that is so broad as to be unknowable.

#### **Capital Eligibility**

The Commonwealth has made numerous public statements regarding its attempt to kill Erica Lawson by operation of law. The Commonwealth assembled a special grand jury to consider only this matter and to upgrade the charges from Manslaughter Second Degree to Murder. In a video statement regarding this indictment the Commonwealth states that the new charges make Erica eligible for the death penalty. The referenced statute is found in *Ky. Rev. Stat. 532.023(2)(a)(9)* and provides that, “[t]he offender’s act of killing was intentional and resulted in the death of a child under twelve (12) years old.” Against this backdrop it is clearer why the Commonwealth attempts a mere recitation of the “intentional” language while describing wanton conduct. Simply stated, this is an issue which will determine the course of this litigation and will be critical for the Court’s adjudication of future claims. The failure to provide any basis for the bare

assertion of intentionality will result in an inability of the Court to make rulings regarding this matter.

### Issuance Standard

In determining whether sufficient information has been provided the Kentucky Supreme Court has held that, “[t]he question for this Court is whether, when the indictment is considered along with the bill of particulars, the two state the acts constituting the offense in such a manner as to enable a person of common understanding to know what is intended. *Buster v. Commonwealth*, 381 S.W.3d 294, 300-301 (Ky. 2012) citing *Brown v. Commonwealth*, 378 S.W.2d 608, 610 (Ky.1964), *overruled in part on other grounds by Payne v. Commonwealth*, 656 S.W.2d 719 (Ky.1983). (Internal quotations omitted). In the present case the theory of culpability regarding Erica Lawson has been of one based in a failure to act. That her failure to seek treatment is one which is wanton in nature and that it was a contributing factor in the death of E.H. Instead we now see the conflation of intentionality of action and intentionality of result.

A very simple test requiring minimal effort by the Commonwealth is all that is required to fulfill these obligations. The *Buster* Court above adopted a longstanding ruling holding that, “[a]ll that is required is an honest effort on the part of the prosecution to obtain and give to the defendant all the necessary information that it reasonably can to enable him to know, as far as possible, the act or acts relied upon by the prosecution for a conviction.” *Buster* at 30 citing *Commonwealth v. Welch*, 243 S.W.2d 909, 911 (Ky. 1951). The information sought here is basic foundational proof that any prosecutor will have at their fingertips.



There will be ample opportunity to litigate the various matters which inevitably arise during the adjudication of a serious homicide offense. Counsel does not seek here a ruling regarding the capital eligibility of the Defendant or any of the complex issues related to that question. Rather, the Defendant respectfully requests this Court enter an order directing the Commonwealth provide a Bill of Particulars which plainly states more accurate information regarding the dates of the alleged offenses, the basis for the assertion that Erica Lawson acted to intentionally cause the death of E.H, and to provide any evidence supporting those assertions.

For these reasons the Defense respectfully requests this Court order the production of the following information:

1. The dates of the offenses alleged and their relationship to the offense of Murder as alleged in Count I of the indictment.
2. A statement regarding the Commonwealth's belief that the Defendant acted intentionally as to the result of the killing of E.H. rather than wantonly.
3. A statement as to how each offense relates to the death of E.H. if at all.
4. The required mental states and evidence supporting them for any of the above responses.

**WHEREFORE**, for the foregoing reasons, the Defense respectfully requests the Commonwealth provide a conforming bill of particulars within thirty days of the Court's order.

Respectfully Submitted,

/s/ Gregory Coulson  
Gregory E. J. Coulson  
Coulson Law Offices, PLLC  
157 North Limestone Street  
Lexington, Kentucky 40507  
DEFENSE COUNSEL

/s/ Emily Croucher  
Emily Croucher  
Asst. Public Advocate  
217 South Main Street  
London, Kentucky 40741  
DEFENSE COUNSEL

**CERTIFICATE OF SERVICE**

I do hereby certify that a true and accurate copy of the foregoing Motion for Discovery has been served via email and electronic filing on the Commonwealth Attorney's Office and a courtesy copy provided to the Court on this 23<sup>rd</sup> day of August, 2023.

/s/Greg Coulson  
Hon. Gregory E. J. Coulson

# EXHIBIT G

DIS : 000027 of 000029

COMMONWEALTH OF KENTUCKY  
44<sup>TH</sup> JUDICIAL CIRCUIT  
BELL CIRCUIT COURT  
INDICTMENT NO. 23-CR-00399

ENTERED  
COLBY SLUSHER  
DEC 21 2023  
BELL CIRCUIT COURT CLERK  
BY: *[Signature]* D.C.

COMMONWEALTH OF KENTUCKY,

PLAINTIFF,

v.

ERICA L. LAWSON,

DEFENDANT.

---

ORDER SETTING BRIEFING SCHEDULE

---

The Court, having held a hearing on November 21, 2023 and having ordered additional briefing on the Defendant's Motion for Bill of Particulars and two Motions for Specific Discovery,

**IT IS HEREBY ORDERED** that the Commonwealth shall file responses to the Defendant's two motions for specific discovery within 15 days of entry of this Order. The Defendant shall have 15 days to file a reply to the Commonwealth's response.

**IT IS FURTHER ORDERED** that the Commonwealth shall file its memorandum in opposition to the Defendant's Motion for Bill of Particulars within 15 days of entry of this Order. The Defendant shall have 15 days to file responsive memorandum.

IT IS SO ORDERED on this the 21 day of DEC, 2023.


*[Signature]*  
HON. KEITH NAGLE  
SPECIAL JUDGE, BELL CIRCUIT COURT

**DISTRIBUTION:**

Hon. Lisa Fugate

Hon. Greg Coulson

Hon. Emily Croucher

 12/21/23  
\_\_\_\_\_  
CLERK'S INITIALS AND DATE