

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF PEMBINA

NORTHEAST JUDICIAL DISTRICT

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STATE OF NORTH DAKOTA,

Plaintiff,

-VS-

**MOTION TO SUSPEND
PROSECUTION PURSUANT
TO RULE 32.2 N.D.R.Crm.P.**

CASE No. 34-2016-CR-00185

DEIA SCHLOSBERG,

Defendant.
-----X

1. RYAN BIALAS, Pembina County States Attorney, hereby moves this Honorable Court for an Order allowing the SUSPENSION of the PROSECUTION in the above entitled criminal case for the following reasons:
2. Defendant, DEIA SCHLOSBERG, has been charged in a three count Information alleging **Conspiracy To Theft of Property, in violation of NDCC Section 12.1-06-04, 12.1-23-02(1), 12.1-23-05(1) and 12.1-32-01(2); Conspiracy To Theft of Services, in violation of NDCC Section 12.1-06-04, 12.1-23-03(2), 12.1-23-05(1), 12.1-32-01(2); and Conspiracy To Tamper With or Damage a Public Service, in violation of NDCC Section 12.1-06-04, 12.1-21-06 (1)(a) & (2).**
3. That Ms. SCHLOSBERG has no prior criminal history in North Dakota.
4. Defendant, DEIA SCHLOSBERG, agrees to waive her federal and state constitutional rights to a Speedy Trial pursuant to the terms of this Agreement.

5. Defendant, DEIA SCHLOSBERG, shall not commit a felony or misdemeanor during the time period stated herein.

6. Defendant, DEIA SCHLOSBERG, shall not possess any firearms during the time the time period stated herein.

7. That investigation subsequent to Ms. SCHOLSBERG's arrest has revealed that she is an Emmy Award winning documentarian/journalist who maintains that she was present at the scene of these events in her capacity as a documentarian.

8. That after a period of six (6) months has passed after the execution of this Agreement all criminal charges relating to this case shall be **Dismissed With Prejudice** and the State will forever be barred from commencing prosecution against Ms. SCHLOSBERG in any of these cases or possible charges relating to this case.

9. If no Motion is made to terminate this Agreement all charges shall be **Dismissed With Prejudice** by Order of the Court after the expiration of the six (6) month period of the suspension of this prosecution.

10. That this agreement is made with the consent of law enforcement and that it is in the interests of justice to suspend the prosecution and that DEIA SCHLOSBERG behaved at all times in a cordial manner with law enforcement and cooperated with investigators regarding her activities.

11. That all personal property belonging to DEIA SCHLOSBERG, including footage,

may be maintained by law enforcement pending the resolution of this and the corresponding cases provided, however, that mirror copies of her data shall be provided to MS. SCHLOSERG or her attorneys upon execution of this agreement as well as copies of all paper documents seized as a result of this investigation. Ms. SCHLOSBERG also waives her rights to privacy with respect to these materials and waiver her rights to require the issuance of a search warrant to review them.

12. THEREFORE, the State respectfully requests that the Court suspend the prosecution of Ms. SCHLOSBERG under the terms and conditions of this Agreement.

DATED this 14th day of November, 2016.


RYAN BIALAS

Pembina County States Attorney
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State Bar ID # 07967

DATED this _____ day of November, 2016.

BY: _____

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DATED this 14th day of November, 2016.

BY: 
DEIA SCHLOSBERG
DEFENDANT