

STATE OF NORTH DAKOTA
COUNTY OF MORTON

IN DISTRICT COURT
SOUTH CENTRAL JUDICIAL COURT

STATE OF NORTH DAKOTA,)
)
Plaintiff,)
)
vs.)
)
LAWRENCE MALCOLM, Jr.)
)
Defendant.)

File No. 30-2019-CR-917

MOTION TO DISMISS – LACK OF PROBABLE CAUSE

Defendant Lawrence Malcolm, Jr., by counsel Bruce D. Nestor of De León, Nestor & Torres, moves the Court as follows:

1. This Motion is filed pursuant to N.D.R. Crim. P. 3(a) and 4(a)(1).
2. Defendants Moves to dismiss Count I and Count II as charged in the Criminal Complaint on the basis that the Affidavit of Probable Cause fails to establish probable cause that the Defendant is probably guilty of committing the offense alleged.
3. Defendant submits an accompanying Memorandum in Support of Motion to Dismiss for Lack of Probable Cause.

Dated this 14th day of September, 2019.

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