

SUPERIOR COURT  
OF THE  
STATE OF DELAWARE

WILLIAM C. CARPENTER, JR.  
JUDGE

NEW CASTLE COUNTY COURTHOUSE  
500 NORTH KING STREET, SUITE 10400  
WILMINGTON, DE 19801-3733  
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September 4, 2015

Julie Finocchiaro, Esquire  
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Michael C. Heyden, Esquire  
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RE: State v. Yanique Rainford  
ID No. 1302000010

**On Defendant's Motion for New Trial - DENIED**

Dear Counsel:

The Court has reviewed the submissions of counsel in response to the Court's letter of June 16, 2015. The defendant's Motion for New Trial filed before sentencing asserted that the State had violated its *Brady* obligation by failing to timely disclose the Office of the Chief Medical Examiner ("OCME") investigation before trial and therefore he was entitled to a new trial.

The facts of this case are similar to those argued before the Court in *State v. Alston* in which the *Brady* argument was found to be without merit.<sup>1</sup> As was stated by Judge Graves, "the State couldn't commit a *Brady* violation for not disclosing what nobody knew until the January, 2014 Kent County Trial."<sup>2</sup> As the defendant here was found guilty in November of 2013, the State could not have disclosed the conduct occurring at the OCME since it was unknown at the time of the trial.

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<sup>1</sup> *State v. Alston*, 2014 WL 7466536 (Del. Super. Dec. 16, 2014).

<sup>2</sup> *Id.* At \*4.

More importantly, there is nothing presented to the Court to reflect that there was any tampering of the packages submitted by the police to the lab in this case. There is no argument that there was a lapse in the chain of custody or that the lab did not test the exact number of bags seized by the police. While the Court appreciates there is a minor discrepancy in the weight, the significance of the discrepancy is discounted as this case did not involve or hinge on the weight of the drugs seized. The defendant here was charged with and convicted of Drug Dealing. As such, there is no tier weight requirement and any minor discrepancy in weight would simply be irrelevant.

As a result, the Court will deny the Motion for New Trial and the case will be returned to Judge Medinilla for sentencing.

IT IS SO ORDERED.

/s/ William C. Carpenter, Jr.  
Judge William C. Carpenter, Jr.

WCCjr:twp

cc: Judge Vivian Medinilla  
Prothonotary