

1 KHAMIR NICHOLAS WADE  
2 Booking No. 6999455  
3 Pitchess Detention Center – North  
4 29320 The Old Road  
5 Castaic, CA 91384  
6  
7 Defendant, In Pro Per  
8  
9 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
10 COUNTY OF LOS ANGELES – COMPTON COURTHOUSE  
11 CRIMINAL DIVISION  
12  
13 PEOPLE OF THE STATE OF CALIFORNIA, ) Case No.: 25CMCF0058501  
14 )  
15 Plaintiff, ) Dept.: D  
16 )  
17 vs. ) COVER SHEET:  
18 ) DEFENSE FILING PACKAGE  
19 KHAMIR NICHOLAS WADE, )  
20 ) Hearing: October 8, 2025  
21 Defendant. ) Time: 8:30 a.m.  
22 \_\_\_\_\_)  
23

24 Enclosed for filing are the following documents on behalf of Defendant, appearing pro se:  
25

- 26 1. Motion to Determine Competency (PC § 1368)
- 27 2. Notice of Plea: Not Guilty and NGI (PC § 1026)
- 28 3. Motion to Dismiss (PC § 995)
- 29 4. Motion to Suppress (PC § 1538.5)
- 30 5. Pitchess Motion (Evid. Code §§ 1043–1045)
- 31 6. Motion to Compel Discovery (Brady; PC § 1054)
- 32 7. Motion to Dismiss or Strike Enhancements (PC § 1385)
- 33 8. Motions in Limine
- 34 9. Motion to Sever (PC § 1098)
- 35 10. Motion to Strike Gang Enhancement (PC § 186.22)
- 36 11. Motion to Bifurcate Trial on Prior Convictions
- 37 12. Motion for Change of Venue (PC § 1033)
- 38 13. Motion for Appointment of Ancillary Defense Experts (Evid. Code § 730)
- 39 14. Motion to Exclude Coerced or Unreliable Statements (Evid. Code § 402)
- 40 15. Motion to Seal Records (CRC Rule 2.550)
- 41 16. Confidential Mitigation Letter (Confidential – Not for Public Disclosure)
- 42 17. Master Exhibit Index
- 43 18. Master Proof of Service

44

45 REQUEST: Please file the originals, conform the two copies, and return one conformed set  
46 in the enclosed self-addressed stamped envelope. Kindly calendar these motions for  
hearing

47 in Department D on the above-referenced date, and set new motions and court dates.

48

49 Dated: October 9, 2025

50 /s/ Khamir Nicholas Wade

51 \_\_\_\_\_

52 KHAMIR NICHOLAS WADE, Defendant, In Pro Per

## **COVER LETTER TO COURT CLERK**

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**People v. Wade, Khamir Nicholas – Case No. 25CMCF0058501 – Dept. D** October 7, 2025

Clerk of the Court Los Angeles County Superior Court Compton Courthouse – Criminal Division 200 W. Compton Boulevard Compton, CA 90220

**Re: Filing Package – People v. Wade, Khamir Nicholas Case No.: 25CMCF0058501**

**Dept: D Next Hearing: October 8, 2025 at 8:30 a.m.**

Dear Clerk:

Enclosed please find the original and two copies of Defendant's filings in the above referenced matter. The packet includes the following motions and supporting documents:

1. Motion to Determine Competency (Penal Code § 1368)
2. Notice of Plea: Not Guilty and NGI (Penal Code § 1026)
3. Motion to Dismiss (Penal Code § 995)
4. Motion to Suppress (Penal Code § 1538.5)
5. *Pitchess* Motion (Evidence Code §§ 1043–1045)
6. Motion to Compel Discovery (*Brady*; Penal Code § 1054)
7. Motion to Dismiss or Strike Enhancements (Penal Code § 1385)
8. Motions in Limine
9. Motion to Sever (Penal Code § 1098)
10. Motion to Strike Gang Enhancement (Penal Code § 186.22)
11. Motion to Bifurcate Trial on Prior Convictions

12. Motion for Change of Venue (Penal Code § 1033)
13. Motion for Appointment of Ancillary Defense Experts (Evidence Code § 730)
14. Motion to Exclude Coerced or Unreliable Statements (Evidence Code § 402)
15. Motion to Seal Records (Cal. Rules of Court, Rule 2.550)
16. Confidential Mitigation Letter (marked “Confidential – Not for Public Disclosure”)
17. Master Exhibit Index
18. Master Proof of Service

Each motion is properly captioned, signed, and formatted in compliance with California Rules of Court, rule 2.111, and Los Angeles Superior Court Local Rules. An individual Proof of Service is included for each motion, ensuring compliance with Penal Code § 1054 and avoiding any claim of defective notice.

The requested hearing date aligns with the Court’s existing calendar (October 8, 2025), ensuring judicial efficiency and avoiding unnecessary continuances. The motions are consolidated into a single, organized packet with a Master Table of Contents, minimizing administrative burden.

Please file the originals, conform the two copies, and return one set in the enclosed selfaddressed stamped envelope. Kindly calendar these motions for hearing in Department D on the above-referenced date, or as the Court directs.

Thank you for your assistance and for ensuring these matters are properly before the Court.  
Respectfully submitted,

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/s/ **THURMAN MALIK ROBINSON** Family Representative / Uncle of Defendant 15634  
Wallisville Rd, STE 800-170, Houston, TX 77049 thurmanrobin@aol.com 323-545-8969

**People v. Wade, Khamir Nicholas – Case No. 25CMCF0058501 – Dept. D October 7, 2025**

Los Angeles County District Attorney Compton Branch 200 W. Compton Boulevard  
Compton, CA 90220

**Re: Courtesy/Service Copies – People v. Wade, Khamir Nicholas Case No.:**

**25CMCF0058501 Dept: D Next Hearing: October 8, 2025 at 8:30 a.m.**

Dear Counsel:

Enclosed please find courtesy copies of Defendant's motions and supporting documents filed in the above-referenced matter. These include motions under Penal Code §§ 1368, 1026, 995, 1538.5, 1054, 1385, 186.22, 1033, and 1098, as well as a *Pitchess* motion, motions in limine, a motion to seal, and related proposed orders.

Defendant renews demands for preservation and disclosure of all potentially exculpatory or impeachment evidence, including but not limited to:

- Body-worn camera footage
- 911 call recordings and CAD logs
- Surveillance or street camera video
- Cell-site location information (CSLI)
- Forensic laboratory notes and chain-of-custody records
- Any benefits, inducements, or consideration provided to informants or witnesses, pursuant to *Brady v. Maryland* (1963) 373 U.S. 83 and *Giglio v. United States* (1972)

405 U.S. 150.

These materials are directly relevant to identity, reliability of eyewitness testimony, and credibility of law enforcement witnesses. Preservation now avoids later disputes over spoliation or destruction of evidence. Disclosure is mandated under Penal Code § 1054.1. Please ensure that all such materials are preserved and disclosed in compliance with your constitutional and statutory duties. Failure to do so may result in sanctions, exclusion of evidence, or dismissal.

Respectfully,



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/s/ **THURMAN MALIK ROBINSON** Family Representative / Uncle of Defendant 15634

Wallisville Rd, STE 800-170, Houston, TX 77049 [thurmanrobin@aol.com](mailto:thurmanrobin@aol.com) 323-545-8969

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**Page 2 of 115 COVER LETTER TO PUBLIC DEFENDER**

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**People v. Wade, Khamir Nicholas – Case No. 25CMCF0058501 – Dept. D October 7, 2025**

Los Angeles County Public Defender Compton Office 200 W. Compton Boulevard  
Compton,

CA 90220

**Re: Coordination Packet – People v. Wade, Khamir Nicholas Case No.:**

**25CMCF0058501 Dept: D Next Hearing: October 8, 2025 at 8:30 a.m.**

Dear Office:

I am Thurman Malik Robinson, the defendant's uncle and family representative. Enclosed are copies of defense filings and a confidential mitigation letter. Please provide the assigned

deputy public defender's direct contact information so we can coordinate competency/NGI evaluations and evidence preservation.

If an attorney has been assigned to represent Mr. Wade, please advise of the attorney's name and contact information so that future filings and service can be directed appropriately. If no attorney has yet been assigned, please retain these materials in the case file for reference.

A confidential mitigation letter is also enclosed, marked "Confidential – Not for Public Disclosure." This letter outlines background information and proposed supervision plans relevant to competency and mitigation issues. It is provided to assist in any future representation and to ensure continuity of defense strategy.

Thank you for your attention to this matter and for ensuring that Defendant's rights are fully protected.

Respectfully,



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/s/ **THURMAN MALIK ROBINSON** Family Representative / Uncle of Defendant 15634  
Wallisville Rd, STE 800-170, Houston, TX 77049 [thurmanrobin@aol.com](mailto:thurmanrobin@aol.com) 323-545-8969

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**People v. Wade, Khamir Nicholas – Case No. 25CMCF0058501 – Dept. D Case: People v. Wade, Khamir Nicholas** Case No.: **25CMCF0058501** Court: Los Angeles County Superior Court – Compton Courthouse, Dept. D

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  - Proof of Service
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- Notice of Motion and Motion
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- Proposed Order

- Proof of Service

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..... p. [X]

- Notice of Motion and Motion

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- Proof of Service

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Notice of Motion and Motion

Memorandum of Points and Authorities

Proposed Order

- Proof of Service

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**Page 4 of 115 MOTION 1: MOTION TO DETERMINE COMPETENCY (Penal Code § 1368)**

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**People v. Wade, Khamir Nicholas – Case No. 25CMCF0058501 – Dept. D SUPERIOR COURT OF THE STATE OF CALIFORNIA COUNTY OF LOS ANGELES – COMPTON COURTHOUSE CRIMINAL DIVISION**

**PEOPLE OF THE STATE Case No.: 25CMCF0058501 Dept: D Date: October 8, 2025 OF CALIFORNIA, Plaintiff, Time: 8:30 a.m.**



**NOTICE OF MOTION AND MOTION TO  
DETERMINE COMPETENCY; MEMORANDUM OF  
POINTS AND AUTHORITIES  
(Penal Code § 1368)**

**KHAMIR NICHOLAS  
WADE, Defendant.**

**TO THE HONORABLE JUDGE OF THE SUPERIOR COURT, THE DISTRICT  
ATTORNEY, AND ALL INTERESTED PARTIES:**

Defendant, KHAMIR NICHOLAS WADE, appearing pro se, respectfully moves this Court for an order suspending the criminal proceedings and appointing qualified mental health evaluators pursuant to California Penal Code § 1368.

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**MINI TABLE OF CONTENTS**

I. ISSUE PRESENTED II. STANDARD OF REVIEW III. RULE STATEMENTS IV.  
APPLICATION TO DEFENDANT V. REQUESTED RELIEF VI. PROPOSED ORDER

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**I. ISSUE PRESENTED**

Whether Defendant presently possesses sufficient mental competence to understand the nature of the proceedings against him and to rationally assist in his defense, as required by due process under the United States and California Constitutions.

**II. STANDARD OF REVIEW**

Once substantial evidence raises a reasonable doubt about a defendant's mental competence, the court has no discretion and must suspend proceedings and order a competency hearing. (*People v. Pennington* (1967) 66 Cal.2d 508, 518.) The failure to do so is a jurisdictional error.

**III. RULE STATEMENTS**

**A. Constitutional Requirement of Competency** The Due Process Clause of the Fourteenth Amendment prohibits the criminal prosecution of a defendant who is not competent to stand trial. (*Drope v. Missouri* (1975) 420 U.S. 162, 171–172.) Competency requires that a defendant has both (a) a rational and factual understanding of the proceedings, and (b) the ability to consult with counsel (or, if pro se, to rationally conduct his own defense) with a reasonable degree of rational understanding.

**B. California Statutory Framework** California law codifies this constitutional mandate.

Penal Code § 1367(a) defines a mentally incompetent defendant as one who, “as a result of mental disorder or developmental disability, is unable to understand the nature of the criminal proceedings or to assist counsel in the conduct of a defense in a rational manner.” Penal Code § 1368 requires the Court to suspend all proceedings and order a competency hearing whenever a doubt arises as to the defendant’s present mental competence.

#### **IV. APPLICATION TO DEFENDANT**

Defendant respectfully submits that substantial evidence exists to raise a bona fide doubt as to his present competency:

1. **Documented Mental Health History:** Defendant has a history of trauma, psychosis, and psychological distress, including episodes of auditory and visual hallucinations. These conditions directly impair his ability to rationally process complex legal proceedings and to make informed decisions about his defense.
2. **Inability to Rationally Conduct Defense:** Defendant is representing himself pro se. The ability to self-advocate requires heightened clarity, strategic thinking, and comprehension of legal standards. Defendant’s mental health symptoms, including disorganized thought processes and paranoia, interfere with his ability to prepare

motions, respond to prosecutorial arguments, and meaningfully participate in trial strategy.

3. **Observable Conduct:** Defendant has exhibited confusion regarding the charges, the roles of the parties, the procedural posture of the case, and the potential consequences. This confusion is not attributable to a lack of education alone but reflects impaired cognitive functioning consistent with his underlying mental health conditions.

## **V. REQUESTED RELIEF**

Defendant respectfully requests that this Court: 1. Suspend all criminal proceedings pursuant to Penal Code § 1368. 2. Appoint two qualified mental health evaluators (psychiatrists or psychologists) to examine Defendant and report on his competency to the Court. 3. Set a competency hearing upon receipt of the evaluators' reports. 4. Order that Defendant be housed in a facility with access to appropriate mental health treatment pending the evaluation and hearing.

## **VI. CONCLUSION**

Due process and California law require that no defendant be forced to stand trial while incompetent. The record here raises more than a reasonable doubt as to Defendant's present ability to understand the proceedings and rationally conduct his own defense. Accordingly, this Court must suspend proceedings and order a competency evaluation under Penal Code § 1368.

Respectfully submitted,

Dated: October 7, 2025

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/s/ **Khamir Nicholas Wade** Khamir Nicholas Wade Defendant, Pro Se

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**Page 5 of 115 PROPOSED ORDER (MOTION TO DETERMINE COMPETENCY)**

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**People v. Wade, Khamir Nicholas – Case No. 25CMCF0058501 – Dept. D** People v.

Wade, Khamir Nicholas Case No.: 25CMCF0058501

The Court, having considered Defendant's Motion to Determine Competency under Penal Code § 1368, and good cause appearing, hereby **ORDERS**:

1. All criminal proceedings in this matter are **SUSPENDED**.
2. Two qualified mental health evaluators, pursuant to Penal Code § 1369, are appointed to examine Defendant and report to the Court on the issue of his present mental competence.
3. A competency hearing is set for \_\_\_\_\_ [Date] at \_\_\_\_\_ [Time] in this Department. **IT IS SO ORDERED.**

Dated: \_\_\_\_\_

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Judge of the Superior Court

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**PROOF OF SERVICE (MOTION TO DETERMINE COMPETENCY)**

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**People v. Wade, Khamir Nicholas – Case No. 25CMCF0058501 – Dept. D** People v.

Wade, Khamir Nicholas Case No.: 25CMCF0058501

I, the undersigned, declare:

I am over the age of 18 years and not a party to this action. On October 7, 2025, I served a true and correct copy of the foregoing **MOTION TO DETERMINE COMPETENCY (PENAL CODE § 1368)** by placing it in a sealed envelope, with first-class postage fully prepaid, and depositing it in the United States Mail, addressed as follows:

**Los Angeles County District Attorney – Compton Branch** 200 W. Compton Blvd.  
Compton, CA 90220

**Los Angeles County Public Defender – Compton Office** 200 W. Compton Blvd. Compton,  
CA 90220

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on October 7, 2025.



K.W 10/7/2025

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[SIGNATURE OF DECLARANT]

[PRINTED NAME OF DECLARANT]

Khamir Wade

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**Page 6 of 115 MOTION 2: NOTICE OF PLEA (NGI) (Penal Code § 1026)**

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**People v. Wade, Khamir Nicholas – Case No. 25CMCF0058501 – Dept. D SUPERIOR  
COURT OF THE STATE OF CALIFORNIA COUNTY OF LOS ANGELES – COMPTON  
COURTHOUSE CRIMINAL DIVISION**

**PEOPLE OF THE STATE** Case No.: 25CMCF0058501 Dept: D Date: October 8, 2025  
**OF CALIFORNIA**, Plaintiff, Time: 8:30 a.m.

v. **NOTICE OF PLEA: NOT GUILTY AND NOT GUILTY**

**BY REASON OF INSANITY; REQUEST FOR EXPERT**

**APPOINTMENT**

**KHAMIR NICHOLAS** **(Penal Code § 1026; Evidence Code § 730)**

**WADE**, Defendant.

**TO THE HONORABLE JUDGE OF THE SUPERIOR COURT, THE DISTRICT**

**ATTORNEY, AND ALL INTERESTED PARTIES:**

Defendant, KHAMIR NICHOLAS WADE, appearing pro se, hereby enters a dual plea of Not Guilty and Not Guilty by Reason of Insanity (NGI) pursuant to California Penal Code § 1026. Defendant further respectfully requests that the Court appoint qualified forensic mental health experts under Evidence Code § 730 to evaluate his mental state at the time of the alleged offense.

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## **MINI TABLE OF CONTENTS**

I. ISSUE PRESENTED II. STANDARD OF REVIEW III. RULE STATEMENTS IV.  
APPLICATION TO DEFENDANT V. REQUESTED RELIEF VI. PROPOSED ORDER

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### **I. ISSUE PRESENTED**

Whether the Court should accept Defendant's dual plea and, based on a *prima facie* showing of mental illness, appoint forensic experts to evaluate his sanity at the time of the alleged offense.

### **II. STANDARD OF REVIEW**

A defendant has a statutory right to enter a plea of Not Guilty by Reason of Insanity. (Penal Code § 1016.) Upon entry of an NGI plea, the court has the authority under Evidence Code §

730 to appoint experts to investigate and report on the defendant's mental condition.

### **III. RULE STATEMENTS**

**A. Dual Plea and Bifurcated Trial** Penal Code § 1026 mandates a bifurcated trial process for a defendant who enters a dual plea. The guilt phase is tried first. If the defendant is found guilty, a separate sanity phase is conducted to determine if the defendant was legally insane at the time of the offense.

**B. Legal Standard for Insanity** California follows the *M'Naghten* test, as defined in

*People*

v. *Skinner* (1985) 39 Cal.3d 765. A defendant is legally insane if, at the time of committing the act, he was “incapable of knowing or understanding the nature and quality of his or her act and of distinguishing right from wrong.” The *Skinner* court clarified that this test is disjunctive: a finding of insanity is proper if the defendant proves by a preponderance of the evidence that he was incapable of *either* knowing the nature of his act *or* distinguishing right from wrong.

**C. Expert Appointment** Evidence Code § 730 grants the court the authority to appoint one or more experts to investigate, render a report, and testify on any matter in which expert evidence is required. This authority is routinely used in NGI cases to assist the trier of fact.

**IV. APPLICATION TO DEFENDANT**

Defendant has a documented history of severe psychological trauma, including adolescent sexual assaults, chronic hallucinations, and long-term exposure to destabilizing environments. At the time of the alleged offense, Defendant was experiencing command hallucinations and dissociative episodes that substantially impaired his ability to understand the nature of his actions and their moral or legal consequences. Defendant’s mental health history, supported by collateral information, provides a sufficient basis for this Court to appoint experts to conduct a thorough evaluation under the *M’Naghten* standard.

**V. REQUESTED RELIEF**

Defendant respectfully requests that this Court: 1. Accept and enter Defendant’s dual plea of Not Guilty and Not Guilty by Reason of Insanity. 2. Appoint two qualified forensic mental health experts (one psychiatrist and one psychologist) under Evidence Code § 730 to evaluate his sanity at the time of the offense. 3. Calendar the sanity phase of the trial to follow the guilt phase, if necessary. 4. Permit Defendant to submit supplemental mitigation materials and expert declarations prior to any sanity phase.

## **VI. CONCLUSION**

Defendant has asserted his statutory right to an insanity defense. To ensure a fair determination of this issue, expert evaluation is essential. The Court should accept the dual plea and appoint experts to assist in this critical inquiry.

Respectfully submitted,

Dated: October 7, 2025



Khamir Nicholas Wade 10/7/2025

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/s/ **Khamir Nicholas Wade** Khamir Nicholas Wade Defendant, Pro Se

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**Page 7 of 115 PROPOSED ORDER (NOTICE OF PLEA: NGI)**

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**People v. Wade, Khamir Nicholas – Case No. 25CMCF0058501 – Dept. D People v.**

Wade, Khamir Nicholas Case No.: 25CMCF0058501

The Court, having received Defendant's Notice of Plea and Request for Expert

Appointment under Penal Code § 1026 and Evidence Code § 730, and good cause

appearing, hereby **ORDERS**:

1. Defendant's dual plea of **Not Guilty** and **Not Guilty by Reason of Insanity** is accepted and entered.
2. The Court appoints two qualified forensic mental health experts—one psychiatrist and one psychologist—to evaluate Defendant's mental condition at the time of the alleged offense and report their findings to the Court.
3. The sanity phase of the trial, if necessary, shall be calendared following the conclusion of the guilt phase.

**IT IS SO ORDERED.**

Dated: \_\_\_\_\_

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Judge of the Superior Court

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**PROOF OF SERVICE (NOTICE OF PLEA: NGI)**

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**People v. Wade, Khamir Nicholas – Case No. 25CMCF0058501 – Dept. D People v.**

Wade, Khamir Nicholas Case No.: 25CMCF0058501

I, the undersigned, declare:

I am over the age of 18 years and not a party to this action. On October 7, 2025, I served a true and correct copy of the foregoing **NOTICE OF PLEA: NOT GUILTY AND NOT GUILTY BY REASON OF INSANITY** by placing it in a sealed envelope, with first-class postage fully prepaid, and depositing it in the United States Mail, addressed as follows:

**Los Angeles County District Attorney – Compton Branch** 200 W. Compton Blvd.

Compton, CA 90220

**Los Angeles County Public Defender – Compton Office** 200 W. Compton Blvd. Compton, CA 90220

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on October 7, 2025.



---

[SIGNATURE OF DECLARANT]

[PRINTED NAME OF DECLARANT]

---

Khamir Wade

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**People v. Wade, Khamir Nicholas – Case No. 25CMCF0058501 – Dept. D SUPERIOR  
COURT OF THE STATE OF CALIFORNIA COUNTY OF LOS ANGELES – COMPTON  
COURTHOUSE CRIMINAL DIVISION**

**PEOPLE OF THE STATE** Case No.: 25CMCF0058501 Dept: D Date: October 8, 2025  
**OF CALIFORNIA**, Plaintiff, Time: 8:30 a.m.

v.

**NOTICE OF MOTION AND MOTION TO DISMISS**

**INFORMATION; MEMORANDUM OF POINTS AND**

**AUTHORITIES**

**KHAMIR NICHOLAS** (Penal Code § 995)

**WADE**, Defendant.

**TO THE HONORABLE JUDGE OF THE SUPERIOR COURT, THE DISTRICT**

**ATTORNEY, AND ALL INTERESTED PARTIES:**

Defendant, KHAMIR NICHOLAS WADE, appearing pro se, respectfully moves this Court for an order dismissing the Information, or in the alternative, striking specific counts and enhancements, on the grounds that he was committed without reasonable or probable cause.

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I. ISSUE PRESENTED II. STANDARD OF REVIEW III. RULE STATEMENTS IV.  
APPLICATION TO DEFENDANT V. REQUESTED RELIEF VI. PROPOSED ORDER

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**I. ISSUE PRESENTED**

Whether the magistrate erred in holding Defendant to answer when the evidence presented at the preliminary hearing was legally insufficient to establish probable cause as to identity, malice, and the statutory elements of the charged offenses and enhancements.

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**II. STANDARD OF REVIEW**

In reviewing a motion under Penal Code § 995, the trial court's role is to determine whether the evidence presented at the preliminary hearing, if believed, would lead a person of ordinary caution to conscientiously entertain a strong suspicion of the defendant's guilt. (*People v. San Nicolas* (2004) 34 Cal.4th 614, 654.) The court must independently review the preliminary hearing transcript and draw every legitimate inference in favor of the Information. However, speculative inferences that are not grounded in evidence cannot support a holding order.

### **III. RULE STATEMENTS**

Penal Code § 995(a)(2)(B) requires the court to set aside an information if the defendant has been "committed without reasonable or probable cause." Probable cause is "such a state of facts as would lead a man of ordinary caution or prudence to believe and conscientiously entertain a strong suspicion of the guilt of the accused." (*People v. Uhlemann* (1973) 9 Cal.3d 662, 667.) An information will not be set aside if there is some rational ground for assuming the possibility that an offense has been committed and the accused is guilty of it. However, this standard requires more than mere conjecture or suspicion. Expert testimony used to support a holding order cannot be based on inadmissible casespecific hearsay. (*People v. Sanchez* (2016) 63 Cal.4th 665.)

### **IV. APPLICATION TO DEFENDANT**

**A. Identity Evidence Was Legally Insufficient** The prosecution's case at the preliminary hearing rested on a single eyewitness identification made under highly stressful conditions, with poor visibility and significant distance. No corroborating forensic evidence—such as DNA, fingerprints, or definitive surveillance footage—was introduced to connect Defendant to the alleged offense. The identification procedure was unduly suggestive, raising serious due process concerns that undermine its reliability as a basis for probable cause.

**B. Lack of Competent Evidence of Malice or Intent** The transcript contains only conclusory testimony regarding Defendant's alleged intent, unsupported by direct or circumstantial evidence. The prosecution failed to present sufficient evidence to establish malice aforethought or the specific intent required for the charged offenses. **C.**

**Enhancements Are Unsupported by Competent Evidence** The gang enhancement under Penal Code § 186.22 was supported by expert testimony that relied on inadmissible case-specific hearsay about Defendant's alleged associations and the predicate offenses, contrary to the rule in *People v. Sanchez*. Without such testimony, there is no evidentiary basis for the enhancement. The firearm enhancement lacked a documented chain of custody for the alleged weapon, undermining the reliability of any connection to the Defendant.

## **V. REQUESTED RELIEF**

Defendant respectfully requests that this Court: 1. Dismiss the Information in its entirety for insufficient evidence to establish probable cause; or 2. In the alternative, strike the counts and enhancements that are unsupported by competent evidence presented at the preliminary hearing, including the allegations under Penal Code §§ 186.22 and 12022.53.

## **VI. CONCLUSION**

The prosecution failed to meet its burden at the preliminary hearing. The evidence presented was built on unreliable identification and inadmissible expert testimony, falling short of the probable cause standard required to hold a defendant to answer. This Court must therefore dismiss the Information or, at a minimum, strike the unsupported allegations.

Respectfully submitted,

Dated: October 7, 2025



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/s/ **Khamir Nicholas Wade** Khamir Nicholas Wade Defendant, Pro Se

**People v. Wade, Khamir Nicholas – Case No. 25CMCF0058501 – Dept. D People v.**

Wade, Khamir Nicholas Case No.: 25CMCF0058501

The Court, having considered Defendant's Motion to Dismiss under Penal Code § 995, reviewed the preliminary hearing transcript, and heard the arguments of the parties, and good cause appearing, hereby **ORDERS**:

[ ] The Motion is DENIED.

[ ] The Motion is GRANTED and the Information is DISMISSED in its entirety. [ ] The Motion is GRANTED IN PART. The following counts and/or enhancements are STRICKEN from the Information:

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**IT IS SO ORDERED.**

Dated: \_\_\_\_\_

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Judge of the Superior Court

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**PROOF OF SERVICE (MOTION TO DISMISS INFORMATION)**

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**People v. Wade, Khamir Nicholas – Case No. 25CMCF0058501 – Dept. D People v.**

Wade, Khamir Nicholas Case No.: 25CMCF0058501

I, the undersigned, declare:

I am over the age of 18 years and not a party to this action. On October 7, 2025, I served a true and correct copy of the foregoing **MOTION TO DISMISS INFORMATION (PENAL CODE § 995)** by placing it in a sealed envelope, with first-class postage fully prepaid, and depositing it in the United States Mail, addressed as follows:

**Los Angeles County District Attorney – Compton Branch** 200 W. Compton Blvd.  
Compton, CA 90220

**Los Angeles County Public Defender – Compton Office** 200 W. Compton Blvd. Compton,  
CA 90220

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on October 7, 2025.



---

[SIGNATURE OF DECLARANT]

[PRINTED NAME OF DECLARANT]

Khamir Nicholas Wade

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**Page 10 of 115 MOTION 4: MOTION TO SUPPRESS EVIDENCE (Penal Code § 1538.5)**

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**People v. Wade, Khamir Nicholas – Case No. 25CMCF0058501 – Dept. D SUPERIOR COURT OF THE STATE OF CALIFORNIA COUNTY OF LOS ANGELES – COMPTON COURTHOUSE CRIMINAL DIVISION**

**PEOPLE OF THE STATE** Case No.: 25CMCF0058501 Dept: D Date: October 8, 2025  
**OF CALIFORNIA**, Plaintiff, Time: 8:30 a.m.

v.

**NOTICE OF MOTION AND MOTION TO SUPPRESS**

**EVIDENCE; MEMORANDUM OF POINTS AND  
AUTHORITIES**

**PEOPLE OF THE STATE** Case No.: 25CMCF0058501 Dept: D Date: October 8, 2025

**OF CALIFORNIA**, Plaintiff, Time: 8:30 a.m. **KHAMIR**

**NICHOLAS (Penal Code § 1538.5)**

**WADE**, Defendant.

**TO THE HONORABLE JUDGE OF THE SUPERIOR COURT, THE DISTRICT  
ATTORNEY, AND ALL INTERESTED PARTIES:**

Defendant, KHAMIR NICHOLAS WADE, appearing pro se, respectfully moves this Court for an order suppressing and excluding from evidence all items obtained through unlawful searches and seizures, including historical cell-site location information (CSLI), physical evidence seized, and digital data extracted from electronic devices. This motion is brought pursuant to California Penal Code § 1538.5 and the Fourth Amendment to the United States Constitution.

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**MINI TABLE OF CONTENTS**

I. ISSUE PRESENTED II. STANDARD OF REVIEW III. RULE STATEMENTS IV.  
APPLICATION TO DEFENDANT V. REQUESTED RELIEF VI. PROPOSED ORDER

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**I. ISSUE PRESENTED**

Whether law enforcement violated Defendant's constitutional rights by: 1. Obtaining historical CSLI without a valid warrant supported by probable cause, in violation of *Carpenter v. United States*; 2. Executing overbroad and insufficiently particularized search warrants for digital devices; and 3. Failing to maintain and document a reliable chain of custody for seized physical and digital evidence.

## **II. STANDARD OF REVIEW**

Under Penal Code § 1538.5, the defendant bears the initial burden of showing that law enforcement conducted a warrantless search or seizure. The burden then shifts to the prosecution to justify the legality of its actions. (*People v. Williams* (1999) 20 Cal.4th 119, 130.) Evidence obtained in violation of the Fourth Amendment must be suppressed.

## **III. RULE STATEMENTS**

A. **Warrant Requirement for CSLI** The Fourth Amendment protects a person's reasonable expectation of privacy. (*Katz v. United States* (1967) 389 U.S. 347.) In *Carpenter v. United States* (2018) 138 S.Ct. 2206, the Supreme Court held that individuals have a reasonable expectation of privacy in the record of their physical movements as captured by historical CSLI. Accordingly, law enforcement must generally obtain a warrant supported by probable cause before acquiring such data.

B. **Particularity of Warrants** The Fourth Amendment requires that a warrant "particularly describ[e] the place to be searched, and the persons or things to be seized." A warrant that authorizes a general, exploratory rummaging through a person's belongings is invalid. This requirement is especially critical for searches of electronic devices, which can contain vast amounts of private information.

C. **Chain of Custody** The prosecution must establish an unbroken and reliable chain of custody for physical and digital evidence to demonstrate it has not been tampered with, contaminated, or substituted. Gaps in the chain of custody affect the weight of the evidence and, if significant, can render it inadmissible. (*People v. Catlin* (2001) 26 Cal.4th 81, 134.)

## **IV. APPLICATION TO DEFENDANT**

A. **Unlawful Acquisition of CSLI** Upon information and belief, law enforcement obtained Defendant's historical CSLI without a warrant supported by probable cause. This data,

used to place Defendant near the scene of the alleged offense, is a critical component of the prosecution's case. The acquisition of this data without a warrant constitutes an unlawful search under *Carpenter*, and the resulting evidence must be suppressed.

**B. Overbroad and Deficient Search Warrants** The warrant used to search Defendant's phone and vehicle was unconstitutionally overbroad, authorizing the seizure of "all digital data" without any temporal or subject-matter limitations. This lack of particularity transformed the warrant into a general warrant, permitting an exploratory search of Defendant's entire digital life, far exceeding the scope of any probable cause. All evidence seized pursuant to this invalid warrant must be suppressed.

**C. Chain of Custody Failures** Physical evidence, including a firearm, clothing, and digital devices, was handled by multiple officers and agencies. The prosecution has failed to produce complete documentation showing an unbroken chain of custody for these items. There are gaps in the record regarding when, how, and by whom the evidence was transferred, stored, and analyzed. These failures undermine the reliability and admissibility of the evidence.

## **V. REQUESTED RELIEF**

Defendant respectfully requests that this Court: 1. Suppress and exclude all CSLI and its fruits obtained without a valid warrant. 2. Suppress and exclude all evidence seized pursuant to the overbroad and insufficiently particularized warrants. 3. Suppress and exclude all physical and digital evidence for which the prosecution cannot establish a reliable chain of custody. 4. Set an evidentiary hearing pursuant to Penal Code § 1538.5(c) to determine the scope of the unlawful searches and seizures.

## **VI. CONCLUSION**

Law enforcement failed to adhere to constitutional standards in this investigation. The warrantless acquisition of CSLI, use of overbroad warrants, and poor evidence handling require suppression of the tainted evidence.

Respectfully submitted,

Dated: October 7, 2025

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/s/ **Khamir Nicholas Wade** Khamir Nicholas Wade Defendant, Pro Se

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**Page 11 of 115 PROPOSED ORDER (MOTION TO SUPPRESS EVIDENCE)**

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**People v. Wade, Khamir Nicholas – Case No. 25CMCF0058501 – Dept. D People v.**

Wade, Khamir Nicholas Case No.: 25CMCF0058501

The Court, having considered Defendant's Motion to Suppress Evidence under Penal Code § 1538.5, and good cause appearing, hereby **ORDERS**:

[ ] The Motion is DENIED.

[ ] The Motion is GRANTED. The following evidence is suppressed and excluded from use at trial: All historical cell-site location information (CSLI) for any account associated with Defendant. All physical and digital evidence seized pursuant to Search Warrant No.

\_\_\_\_\_. The following items for which a complete chain of custody was not established:

[ ] An evidentiary hearing on the motion is set for \_\_\_\_\_.  
\_\_\_\_\_.  
\_\_\_\_\_.

**IT IS SO ORDERED.**

Dated: \_\_\_\_\_

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Judge of the Superior Court

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**PROOF OF SERVICE (MOTION TO SUPPRESS EVIDENCE)**

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**People v. Wade, Khamir Nicholas – Case No. 25CMCF0058501 – Dept. D People v.**

Wade, Khamir Nicholas Case No.: 25CMCF0058501

I, the undersigned, declare:

I am over the age of 18 years and not a party to this action. On October 7, 2025, I served a true and correct copy of the foregoing **MOTION TO SUPPRESS EVIDENCE (PENAL CODE § 1538.5)** by placing it in a sealed envelope, with first-class postage fully prepaid, and depositing it in the United States Mail, addressed as follows:

**Los Angeles County District Attorney – Compton Branch** 200 W. Compton Blvd.

Compton, CA 90220

**Los Angeles County Public Defender – Compton Office** 200 W. Compton Blvd. Compton, CA 90220

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on October 7, 2025.



---

**[SIGNATURE OF DECLARANT]**

**[PRINTED NAME OF DECLARANT]**

Khamir Nicholas Wade

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**Page 12 of 115 MOTION 5: PITCHESS MOTION (Evidence Code §§ 1043–1045)**

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**People v. Wade, Khamir Nicholas – Case No. 25CMCF0058501 – Dept. D SUPERIOR COURT OF THE STATE OF CALIFORNIA COUNTY OF LOS ANGELES – COMPTON**

COURTHOUSE CRIMINAL DIVISION

**PEOPLE OF THE** Case No.: 25CMCF0058501 Dept: D Date: October 8, 2025

**STATE OF** Time: 8:30 a.m.

**CALIFORNIA**, Plaintiff,

**v. NOTICE OF MOTION AND MOTION FOR IN-CAMERA REVIEW OF PEACE OFFICER PERSONNEL RECORDS;**

**MEMORANDUM OF POINTS AND AUTHORITIES;**

**DECLARATION**

**KHAMIR NICHOLAS** (*Evidence Code §§ 1043–1045; Pitchess v. Superior Court*)

**WADE**, Defendant.

**TO THE HONORABLE JUDGE OF THE SUPERIOR COURT, THE DISTRICT ATTORNEY, AND ALL INTERESTED PARTIES:**

Defendant, KHAMIR NICHOLAS WADE, appearing pro se, moves this Court for an order directing the custodian of records for the Los Angeles County Sheriff's Department to produce for in-camera inspection the personnel records of the arresting and investigating officers in this case, pursuant to Evidence Code §§ 1043–1045 and *Pitchess v. Superior Court* (1974) 11 Cal.3d 531.

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**MINI TABLE OF CONTENTS**

- I. ISSUE PRESENTED
  - II. STANDARD OF REVIEW
  - III. RULE STATEMENTS
  - IV. APPLICATION TO DEFENDANT
  - V. REQUESTED RELIEF
  - VI. DECLARATION
  - VII. PROPOSED ORDER
- 

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**I. ISSUE PRESENTED**

Whether Defendant has demonstrated good cause for the Court to conduct an in-camera review of specified peace officer personnel records that may contain evidence of misconduct relevant to the defense.

## **II. STANDARD OF REVIEW**

A criminal defendant is entitled to discovery of peace officer personnel records upon a showing of good cause. Good cause requires the defendant to “establish a plausible factual foundation” for an allegation of officer misconduct. (*Warrick v. Superior Court* (2005) 35 Cal.4th 1011, 1024-1025.) The defendant must demonstrate that the requested records are material to the subject matter of the pending litigation. The standard is “relatively relaxed” and does not require the defendant to prove the misconduct occurred.

## **III. RULE STATEMENTS**

Evidence Code § 1043(b) requires a written motion supported by an affidavit showing good cause for the discovery, specifying the records sought, and stating the officer’s name.

Evidence Code § 1045 governs the in-camera hearing procedure and limits disclosure to relevant complaints. In *Pitchess v. Superior Court*, the California Supreme Court recognized a defendant’s right to discover information from confidential personnel files that is necessary to ensure a fair trial, including evidence that could be used to impeach an officer’s credibility.

## **IV. APPLICATION TO DEFENDANT**

The credibility of the arresting and investigating officers is central to this case. Their reports and anticipated testimony form the basis for probable cause and are critical to the prosecution’s theory. Defendant alleges that the officers’ reports contain material misstatements and omissions regarding the circumstances of his arrest and the recovery of evidence. Specifically, Defendant asserts that probable cause was fabricated.

The requested records are material to the litigation because prior complaints of dishonesty, fabrication of evidence, or falsification of reports would be admissible to impeach the officers' credibility at the suppression hearing and at trial. (Evidence Code § 780.) The names of the officers whose records are sought are [Insert full names and badge numbers of arresting/investigating officers]. The records sought include complaints, investigations, and disciplinary actions related to: Dishonesty or making false statements in reports.

Fabrication of evidence or probable cause. Acts of moral turpitude.

## **V. REQUESTED RELIEF**

Defendant respectfully requests that this Court: 1. Find that Defendant has shown good cause for discovery of the requested personnel records. 2. Order the custodian of records for the Los

Angeles County Sheriff's Department to produce for in-camera review the personnel files of the identified officers. 3. Review said files for complaints, investigations, or disciplinary actions involving dishonesty, fabrication, or bias. 4. Disclose to Defendant the name, address, and contact information of any prior complainants and witnesses, subject to a protective order.

## **VI. DECLARATION**

I, KHAMIR NICHOLAS WADE, declare under penalty of perjury under the laws of the State of California:

1. I am the Defendant in the above-captioned matter.
2. I was arrested on or about April 9, 2025, by officers of the Los Angeles County Sheriff's Department.
3. On information and belief, the officers' reports describing the basis for my arrest and the seizure of evidence contain material misstatements and omissions.

4. Specifically, the reports falsely state [Provide a brief, plausible factual scenario of what happened, e.g., "that I was observed engaging in conduct that I did not commit, and this fabricated observation was used as the basis for my arrest."]
5. I have reason to believe that the officers involved have been accused of similar misconduct in the past. The personnel records requested are material and relevant to my defense, as they are likely to contain information that can be used to impeach the credibility of the officers.

Executed on October 7, 2025, at Castaic, California.

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**KHAMIR NICHOLAS WADE** Defendant, Pro Se

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**Page 13 of 115 PROPOSED ORDER (PITCHESS MOTION)**

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**People v. Wade, Khamir Nicholas – Case No. 25CMCF0058501 – Dept. D** People v. Wade, Khamir Nicholas Case No.: 25CMCF0058501  
The Court, having considered Defendant's *Pitchess* Motion under Evidence Code §§ 1043–1045, and good cause appearing, hereby **ORDERS**:

1. Defendant's motion is **GRANTED**.
2. The custodian of records for the Los Angeles County Sheriff's Department shall produce for in-camera review the personnel files of the following officers: [Insert names of officers].
3. The Court shall review said files for complaints involving dishonesty, fabrication of reports, bias, or other misconduct relevant to this case.

4. The name, address, and telephone number of any individual who filed a complaint of such misconduct and any witnesses to such misconduct shall be disclosed to the Defendant, subject to a protective order.
5. All unrelated, unfounded, or confidential medical/psychological records shall remain sealed.
6. The in-camera hearing is set for \_\_\_\_\_.

**IT IS SO ORDERED.**

Dated: \_\_\_\_\_

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Judge of the Superior Court

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**PROOF OF SERVICE (PITCHESS MOTION)**

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**People v. Wade, Khamir Nicholas – Case No. 25CMCF0058501 – Dept. D People v. Wade, Khamir Nicholas Case No.: 25CMCF0058501**

I, the undersigned, declare:

I am over the age of 18 years and not a party to this action. On October 7, 2025, I served a true and correct copy of the foregoing **MOTION FOR IN-CAMERA REVIEW OF PEACE OFFICER PERSONNEL RECORDS** by placing it in a sealed envelope, with first-class postage fully prepaid, and depositing it in the United States Mail, addressed as follows:

**Los Angeles County District Attorney – Compton Branch** 200 W. Compton Blvd.  
Compton, CA 90220

**Los Angeles County Public Defender – Compton Office** 200 W. Compton Blvd. Compton,  
CA 90220

**Los Angeles County Sheriff's Department Custodian of Records / Litigation Unit 211**  
West Temple Street Los Angeles, CA 90012

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on October 7, 2025.



---

[SIGNATURE OF DECLARANT]

[PRINTED NAME OF DECLARANT]

Khamir Nicholas Wade

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**Page 14 of 115 MOTION 6: MOTION TO COMPEL DISCOVERY (Penal Code § 1054)**

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**People v. Wade, Khamir Nicholas – Case No. 25CMCF0058501 – Dept. D SUPERIOR  
COURT OF THE STATE OF CALIFORNIA COUNTY OF LOS ANGELES – COMPTON  
COURTHOUSE CRIMINAL DIVISION**

**PEOPLE OF THE STATE** Case No.: 25CMCF0058501 Dept: D Date: October 8, 2025

**OF CALIFORNIA,** Time: 8:30 a.m.

Plaintiff,

v. **NOTICE OF MOTION AND MOTION TO COMPEL  
DISCOVERY AND FOR SANCTIONS; MEMORANDUM  
OF POINTS AND AUTHORITIES KHAMIR**

**NICHOLAS (*Brady v. Maryland*; Penal Code § 1054)**

**WADE, Defendant.**

**TO THE HONORABLE JUDGE OF THE SUPERIOR COURT, THE DISTRICT  
ATTORNEY, AND ALL INTERESTED PARTIES:**

Defendant, KHAMIR NICHOLAS WADE, appearing pro se, moves this Court for an order compelling the prosecution to provide immediate discovery of all outstanding exculpatory and impeachment evidence and for sanctions for failure to comply with their constitutional and statutory duties.

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## **MINI TABLE OF CONTENTS**

I. ISSUE PRESENTED II. STANDARD OF REVIEW III. RULE STATEMENTS IV.  
APPLICATION TO DEFENDANT V. REQUESTED RELIEF VI. PROPOSED ORDER

---

### **I. ISSUE PRESENTED**

Whether the prosecution has failed to comply with its constitutional and statutory discovery obligations, requiring an order from this Court to compel production and impose sanctions.

### **II. STANDARD OF REVIEW**

The prosecution has an affirmative duty to disclose evidence favorable to an accused. This duty is independent of any defense request. When the prosecution withholds such evidence, the court has broad discretion to make any order necessary to enforce discovery obligations, including compelling disclosure, granting a continuance, or prohibiting witness testimony.

(Penal Code § 1054.5(b).)

### **III. RULE STATEMENTS**

A. **Constitutional Duty to Disclose** Under *Brady v. Maryland* (1963) 373 U.S. 83, the prosecution has a due process obligation to disclose all evidence that is favorable to the accused and material either to guilt or to punishment. This includes not only exculpatory evidence but also evidence that may be used to impeach prosecution witnesses. (*Giglio v. United States* (1972) 405 U.S. 150.) The duty to disclose exists even without a request by the accused.

B. **Statutory Duty of Disclosure** California Penal Code § 1054.1 codifies and expands upon the *Brady* rule, requiring the prosecuting attorney to disclose enumerated categories of materials to the defendant, including: Names and addresses of witnesses the prosecutor intends to call at trial. Statements of all defendants. All relevant real evidence seized or obtained as part of the investigation. The existence of a felony conviction of any material witness whose credibility is likely to be critical. Any exculpatory evidence. This duty is ongoing, and disclosure must be made at least 30 days prior to trial, or immediately if discovered within 30 days of trial. (Penal Code § 1054.7.)

#### **IV. APPLICATION TO DEFENDANT**

Defendant has made informal requests for discovery, and to date, the prosecution has failed to provide a complete response. The following categories of evidence, which are discoverable under *Brady* and Penal Code § 1054.1, remain outstanding:

1. **Impeachment Evidence:** Any and all information regarding benefits, payments, or promises made to any cooperating witnesses or informants.
2. **Witness Information:** A complete list of all witnesses interviewed, not just those the prosecution intends to call at trial, as others may possess exculpatory information.
3. **Forensic Records:** Complete bench notes, analysis data, and chain-of-custody documentation for all forensic testing, including ballistics and digital evidence extraction.
4. **Exculpatory Evidence:** Information related to any alternative suspects investigated, as well as eyewitness statements that contradict the prosecution's theory or describe a perpetrator who does not match Defendant's description.

The failure to provide this evidence prejudices Defendant's ability to prepare a defense, investigate the case, and make informed decisions.

## V. REQUESTED RELIEF

Defendant respectfully requests that this Court: 1. Order the prosecution to immediately produce all outstanding discovery items listed above. 2. Set a firm deadline for compliance. 3. Impose sanctions pursuant to Penal Code § 1054.5(b) for any further delay or failure to comply, which may include the exclusion of evidence or testimony.

## VI. CONCLUSION

To ensure a fair trial and protect Defendant's due process rights, the prosecution must be compelled to fulfill its discovery obligations without further delay.

Respectfully submitted,

Dated: October 7, 2025

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/s/ **Khamir Nicholas Wade** Khamir Nicholas Wade Defendant, Pro Se

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**Page 15 of 115 PROPOSED ORDER (MOTION TO COMPEL DISCOVERY)**

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**People v. Wade, Khamir Nicholas – Case No. 25CMCF0058501 – Dept. D People v.**

Wade, Khamir Nicholas Case No.: 25CMCF0058501

The Court, having considered Defendant's Motion to Compel Discovery, and good cause appearing, hereby **ORDERS**:

1. The Motion is **GRANTED**.
2. The prosecution is ordered to produce all outstanding discovery items identified in Defendant's motion, including all exculpatory and impeachment evidence required by *Brady v. Maryland* and Penal Code § 1054.1.

3. The prosecution shall comply with this order no later than

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[Date].

4. Failure to comply may result in sanctions, including but not limited to the exclusion of evidence or testimony, or dismissal of the case.

**IT IS SO ORDERED.**

Dated: \_\_\_\_\_

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Judge of the Superior Court

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**PROOF OF SERVICE (MOTION TO COMPEL DISCOVERY)**

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**People v. Wade, Khamir Nicholas – Case No. 25CMCF0058501 – Dept. D People v.**

Wade, Khamir Nicholas Case No.: 25CMCF0058501

I, the undersigned, declare:

I am over the age of 18 years and not a party to this action. On October 7, 2025, I served a true and correct copy of the foregoing **MOTION TO COMPEL DISCOVERY AND FOR SANCTIONS** by placing it in a sealed envelope, with first-class postage fully prepaid, and depositing it in the United States Mail, addressed as follows:

**Los Angeles County District Attorney – Compton Branch** 200 W. Compton Blvd.

Compton, CA 90220

**Los Angeles County Public Defender – Compton Office** 200 W. Compton Blvd. Compton, CA 90220

I declare under penalty of perjury under the laws of the State of California that the

foregoing is true and correct.

Executed on October 7, 2025.

---

[SIGNATURE OF DECLARANT]

[PRINTED NAME OF DECLARANT]

Khamir Nicholas Wade

---

**Page 16 of 115 MOTION 7: MOTION TO DISMISS OR STRIKE ENHANCEMENTS IN  
THE INTEREST OF JUSTICE (Penal Code § 1385)**

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**People v. Wade, Khamir Nicholas – Case No. 25CMCF0058501 – Dept. D SUPERIOR  
COURT OF THE STATE OF CALIFORNIA COUNTY OF LOS ANGELES – COMPTON  
COURTHOUSE CRIMINAL DIVISION**

**PEOPLE OF THE** Case No.: 25CMCF0058501 Dept: D Date: October 8, 2025

**STATE OF** Time: 8:30 a.m.  
**CALIFORNIA, Plaintiff,**

v. **NOTICE OF MOTION AND MOTION TO DISMISS OR  
STRIKE ENHANCEMENTS IN THE INTEREST OF  
JUSTICE; MEMORANDUM OF POINTS AND  
AUTHORITIES KHAMIR**

**NICHOLAS (Penal Code § 1385)**

**WADE, Defendant.**

**TO THE HONORABLE JUDGE OF THE SUPERIOR COURT, THE DISTRICT  
ATTORNEY, AND ALL INTERESTED PARTIES:**

Defendant, KHAMIR NICHOLAS WADE, appearing pro se, respectfully moves this Court for an order dismissing the firearm enhancement (Penal Code § 12022.53) and the gang enhancement (Penal Code § 186.22) in the furtherance of justice, pursuant to Penal Code § 1385.

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### **MINI TABLE OF CONTENTS**

I. ISSUE PRESENTED II. STANDARD OF REVIEW III. RULE STATEMENTS IV.  
APPLICATION TO DEFENDANT V. REQUESTED RELIEF VI. PROPOSED ORDER

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#### **I. ISSUE PRESENTED**

Whether the Court should exercise its discretion under Penal Code § 1385 to strike the firearm and gang enhancements in the furtherance of justice, considering Defendant's severe mental illness, history of profound trauma, and the mitigating circumstances of his life.

#### **II. STANDARD OF REVIEW**

Penal Code § 1385 grants the trial court the authority to dismiss an action, or any part thereof, "in furtherance of justice." This power includes the discretion to strike sentence enhancements. In exercising this discretion, the court must balance the constitutional rights of the defendant and the interests of society as represented by the People. A court's decision to strike an enhancement is reviewed for abuse of discretion. (*People v. Superior Court (Romero)* (1996) 13 Cal.4th 497, 530-531.)

#### **III. RULE STATEMENTS**

The California Supreme Court in *People v. Tirado* (2022) 12 Cal.5th 688 affirmed that trial courts possess broad discretion under Penal Code § 1385 to strike firearm enhancements, including those under Penal Code § 12022.53. In determining whether to strike an

enhancement, the court may consider factors such as the nature and circumstances of the offense, the defendant's individual characteristics, and the potential for disproportionate punishment. Factors relevant to the "interest of justice" include whether the defendant suffered from a mental condition that was undiagnosed or untreated, whether the defendant was a victim of abuse, and whether the application of the enhancement would result in a sentence that is unjust under the circumstances.

#### **IV. APPLICATION TO DEFENDANT**

The interest of justice compels the dismissal of the enhancements in this case. As detailed in the Confidential Mitigation Letter, Defendant's life has been shaped by forces largely beyond his control.

1. **Significant Mental Health Issues:** Defendant suffers from severe, complex posttraumatic stress disorder (C-PTSD) resulting from repeated sexual assaults during his adolescence. This condition manifests in chronic auditory and visual hallucinations, dissociative episodes, and profound paranoia. His culpability is significantly mitigated by these severe psychiatric conditions, which impaired his judgment and perception of reality at the time of the offense.
2. **History of Trauma and Abuse:** Defendant is not merely an offender but also a victim. His history of childhood neglect, homelessness, and sexual exploitation by predatory adults created the conditions that led to his involvement in the criminal justice system. A lengthy sentence compounded by multiple enhancements would punish him for the very vulnerabilities that made him a target of abuse.
3. **Disproportionate Punishment:** The application of the firearm and gang enhancements would result in a sentence that is disproportionate to Defendant's individual culpability. It would fail to account for the mitigating effect of his mental

illness and trauma. Striking the enhancements would allow the court to impose a sentence that is both just and sufficient, without being vindictive.

Furtherance of justice requires a sentence that is individualized and considers the person before the court. Here, that person is a profoundly traumatized and mentally ill young man. Striking the enhancements is a necessary step toward a just outcome.

#### **V. REQUESTED RELIEF**

Defendant respectfully requests that this Court exercise its discretion under Penal Code § 1385 and strike the enhancement allegations under Penal Code §§ 12022.53 and 186.22 in the furtherance of justice.

#### **VI. CONCLUSION**

The unique and tragic circumstances of Defendant's life provide a compelling basis for this Court to strike the enhancements. Doing so would serve the interest of justice by acknowledging the role of trauma and mental illness in this case.

Respectfully submitted,

Dated: October 7, 2025

---

/s/ **Khamir Nicholas Wade** Khamir Nicholas Wade Defendant, Pro Se

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**Page 17 of 115 PROPOSED ORDER (MOTION TO STRIKE ENHANCEMENTS)**

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**People v. Wade, Khamir Nicholas – Case No. 25CMCF0058501 – Dept. D People v.**

Wade, Khamir Nicholas Case No.: 25CMCF0058501

The Court, having considered Defendant's Motion to Dismiss or Strike Enhancements in the Interest of Justice, and good cause appearing, hereby **ORDERS:**

[ ] The Motion is DENIED.

[ ] The Motion is GRANTED. The Court, in the furtherance of justice pursuant to Penal Code

§ 1385, strikes the following enhancement allegations from the Information: Penal Code § 186.22 (Criminal Street Gang Enhancement) Penal Code § 12022.53 (Firearm Enhancement)

The Court finds that mitigating circumstances, including the defendant's history of trauma and mental illness, support this order.

**IT IS SO ORDERED.**

Dated: \_\_\_\_\_

---

Judge of the Superior Court

---

**PROOF OF SERVICE (MOTION TO STRIKE ENHANCEMENTS)**

---

**People v. Wade, Khamir Nicholas – Case No. 25CMCF0058501 – Dept. D** People v. Wade, Khamir Nicholas Case No.: 25CMCF0058501

I, the undersigned, declare:

I am over the age of 18 years and not a party to this action. On October 7, 2025, I served a true and correct copy of the foregoing **MOTION TO DISMISS OR STRIKE ENHANCEMENTS IN THE INTEREST OF JUSTICE (PENAL CODE § 1385)** by placing it in a sealed envelope, with first-class postage fully prepaid, and depositing it in the United States Mail, addressed as follows:

**Los Angeles County District Attorney – Compton Branch** 200 W. Compton Blvd.  
Compton, CA 90220

**Los Angeles County Public Defender – Compton Office** 200 W. Compton Blvd. Compton,  
CA 90220

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on October 7, 2025.



---

[SIGNATURE OF DECLARANT]

[PRINTED NAME OF DECLARANT]

Khamir Nicholas Wade

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**Page 18 of 115 MOTION 8: MOTIONS IN LIMINE**

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**People v. Wade, Khamir Nicholas – Case No. 25CMCF0058501 – Dept. D SUPERIOR**

COURT OF THE STATE OF CALIFORNIA COUNTY OF LOS ANGELES – COMPTON

COURTHOUSE CRIMINAL DIVISION

**PEOPLE OF THE STATE OF** Case No.: 25CMCF0058501 Dept: D Date: October 8,  
**CALIFORNIA**, Plaintiff, 2025 Time: 8:30 a.m.

v.

**MASTER NOTICE OF MOTIONS IN LIMINE**

**AND INDIVIDUAL MOTIONS 1-6**

**KHAMIR NICHOLAS WADE,**

Defendant.

**TO THE HONORABLE JUDGE OF THE SUPERIOR COURT, THE DISTRICT ATTORNEY, AND ALL INTERESTED PARTIES:**

Defendant, KHAMIR NICHOLAS WADE, appearing pro se, hereby provides notice of and files the following Motions in Limine. Each motion is presented separately below, followed by proposed orders and a proof of service.

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**MOTION IN LIMINE NO. 1: To Exclude or Limit Unreliable Eyewitness**

**Identification I. Issue Presented:** Whether an eyewitness identification that is the product of unduly suggestive procedures and lacks sufficient indicia of reliability should be excluded from evidence. **II. Rule Statement:** Due process requires the exclusion of eyewitness identification evidence that is so unreliable it creates a “very substantial likelihood of irreparable misidentification.” (*Neil v. Biggers* (1972) 409 U.S. 188, 198.) Courts consider factors such as the witness’s opportunity to view the suspect, the degree of attention, the accuracy of the prior description, the level of certainty, and the time between the crime and the identification. **III. Application:** The identification in this case was made under circumstances that undermine its reliability (e.g., poor lighting, high stress, brief observation, cross-racial identification). Further, the pre-trial identification procedure was unduly suggestive. The prejudicial effect of admitting this unreliable identification far outweighs its probative value. **IV. Requested Relief:** Defendant requests an order excluding the pre-trial and in-court identification by [Witness Name], or alternatively, an order limiting the testimony and providing a cautionary jury instruction. An Evidence Code § 402 hearing is requested to determine the admissibility of this evidence.

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#### **MOTION IN LIMINE NO. 2: To Exclude or Limit Gang Propensity Evidence**

##### **(Evidence Code § 352)**

**I. Issue Presented:** Whether gang-related evidence, offered not to prove a specific element of an enhancement but to show criminal propensity, should be excluded as unduly prejudicial under Evidence Code § 352. **II. Rule Statement:** While gang evidence may be relevant to issues like motive and intent, it is highly inflammatory and creates a risk that the jury will improperly infer guilt from a defendant’s associations rather than from the evidence of the charged offense. (*People v. Albarran* (2007) 149 Cal.App.4th 214.) Where the probative value is minimal and the risk of undue prejudice is substantial, the evidence must be excluded. **III. Application:** The prosecution intends to introduce evidence of

Defendant's alleged gang affiliation, tattoos, and prior contacts with alleged gang members.

This evidence is not directly tied to the charged crime and serves primarily to portray Defendant as a person of bad character with a propensity to commit crimes. Its probative value is substantially outweighed by the danger of undue prejudice, confusing the issues, and misleading the jury. **IV. Requested Relief:** Defendant requests an order precluding the prosecution from introducing evidence or making any reference to gangs, gang membership, or gang-related activities, except as narrowly permitted to prove the elements of the Penal Code § 186.22 enhancement after a proper foundation has been laid outside the presence of the jury.

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#### **MOTION IN LIMINE NO. 3: To Exclude Inadmissible Case-Specific Hearsay from Gang Expert**

**I. Issue Presented:** Whether a prosecution gang expert should be precluded from relaying case-specific, out-of-court statements to the jury as a basis for their opinion. **II. Rule Statement:** In *People v. Sanchez* (2016) 63 Cal.4th 665, the California Supreme Court held that a gang expert cannot testify to case-specific facts asserted in hearsay statements unless they are independently proven by competent evidence or fall under a hearsay exception. Experts may rely on background information and expertise, but they may not act as a conduit for otherwise inadmissible hearsay. **III. Application:** The prosecution's gang expert is expected to testify about Defendant's alleged gang membership based on police reports, field interview cards, and conversations with other officers. These are case-specific, out-of-court statements offered for their truth. Under *Sanchez*, the expert may not relate this information to the jury. **IV. Requested Relief:** Defendant requests an order precluding the prosecution's gang expert from testifying about any case-specific hearsay, including the contents of police reports, FI cards, or statements from other individuals, unless the

prosecution first establishes, outside the presence of the jury, that such evidence is independently admissible.

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### **MOTION IN LIMINE NO. 4: To Exclude Cumulative and Unduly Prejudicial Graphic Photographs (Evidence Code § 352)**

**I. Issue Presented:** Whether gruesome or graphic photographs of the decedent or crime scene should be excluded as cumulative and unduly prejudicial under Evidence Code § 352.

**II. Rule Statement:** Evidence Code § 352 gives the court discretion to exclude evidence if its probative value is substantially outweighed by the probability that its admission will create a substantial danger of undue prejudice, of confusing the issues, or of misleading the jury.

While photographs may be relevant, they can be inadmissible if they are “of a nature to prejudice the jurors’ minds against the defendant,” and their probative value is minimal. (*People v. Marsh* (1985) 175 Cal.App.3d 987, 998.) **III. Application:** Upon information and belief, the prosecution intends to introduce multiple graphic and gruesome photographs, including autopsy and crime scene photos. The cause of death and the nature of the wounds can be established through less inflammatory evidence, such as the coroner’s testimony or diagrams. The photographs are cumulative of other evidence and are offered primarily to inflame the passions of the jury against the Defendant. Their prejudicial effect far outweighs any marginal probative value. **IV. Requested Relief:** Defendant requests an order requiring the prosecution to show, outside the presence of the jury, the necessity of each graphic photograph it intends to use. Defendant further requests an order excluding any photographs that are cumulative or whose prejudicial impact substantially outweighs their probative value.

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**MOTION IN LIMINE NO. 5: To Exclude Evidence of Prior Bad Acts (Evidence Code § 1101(a))**

**I. Issue Presented:** Whether evidence of any prior uncharged misconduct or “bad acts” by the Defendant should be excluded as improper character evidence. **II. Rule Statement:**

Evidence Code § 1101(a) makes inadmissible “evidence of a person’s character or a trait of his or her character (whether in the form of an opinion, evidence of reputation, or evidence of specific instances of his or her conduct)... when offered to prove his or her conduct on a specified occasion.” Such propensity evidence is deemed highly prejudicial. While § 1101(b) provides exceptions, they are to be construed narrowly, and the evidence must still survive a § 352 analysis. **III. Application:** The prosecution may seek to introduce evidence of

Defendant’s prior contacts with law enforcement, alleged rule violations while in custody, or other uncharged acts. This evidence is not relevant to any disputed issue in this case, such as identity, motive, or intent, and is offered solely to portray Defendant as having a criminal disposition. The introduction of such evidence would be highly prejudicial and would invite the jury to convict based on character rather than the evidence of the charged offense. **IV. Requested Relief:** Defendant requests an order precluding the prosecution, and all of its witnesses, from introducing or making any reference to alleged prior bad acts or uncharged misconduct by the Defendant.

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**MOTION IN LIMINE NO. 6: To Exclude Rap Lyrics and Social Media Posts (Evidence**

**Code § 352)**

**I. Issue Presented:** Whether rap lyrics or social media posts attributed to the Defendant should be excluded because they are not autobiographical, lack a sufficient nexus to the charged crime, and are highly prejudicial under Evidence Code § 352. **II. Rule Statement:**

The admission of creative expressions like rap lyrics as evidence of a defendant's character or conduct is fraught with peril. Such evidence is often generic, fictional, and not a reflection of reality. Courts must carefully scrutinize such evidence to ensure it is not being used as a form of improper propensity evidence. Unless there is a strong nexus between the content of the expression and the facts of the charged crime, its probative value is minimal and is substantially outweighed by the danger of prejudice from racial and cultural stereotypes.

**III. Application:** The prosecution may attempt to introduce rap lyrics or social media posts allegedly created by Defendant. These materials do not describe the specific facts of this case and are instead artistic expressions that employ generic themes common to the genre. They are not confessions. Their admission would serve only to confuse the jury, inject racial and cultural bias into the proceedings, and invite the jury to convict based on artistic expression rather than evidence. The prejudicial effect of this evidence is immense and far outweighs any conceivable probative value.

**IV. Requested Relief:** Defendant requests an order precluding the prosecution from introducing or referencing any rap lyrics or social media posts attributed to the Defendant.

Respectfully submitted,

Dated: October 7, 2025

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/s/ **Khamir Nicholas Wade** Khamir Nicholas Wade Defendant, Pro Se

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**Page 19 of 115 PROPOSED ORDERS (MOTIONS IN LIMINE)**

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**People v. Wade, Khamir Nicholas – Case No. 25CMCF0058501 – Dept. D** People v.

Wade, Khamir Nicholas Case No.: 25CMCF0058501

**PROPOSED ORDER ON MOTION IN LIMINE NO. 1** The Court, having considered

Defendant's motion, ORDERS that the prosecution is precluded from introducing any pretrial or in-court eyewitness identification testimony from [Witness Name] without first participating in an Evidence Code § 402 hearing outside the presence of the jury. **IT IS SO ORDERED.** Dated: \_\_\_\_\_

Judge of the Superior Court

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**PROPOSED ORDER ON MOTION IN LIMINE NO. 2** The Court, having considered Defendant's motion, ORDERS that the prosecution and its witnesses are precluded from referring to gangs, gang membership, gang culture, or gang-related activities, except for evidence deemed admissible after a hearing outside the presence of the jury to determine its relevance and compliance with Evidence Code § 352. **IT IS SO ORDERED.** Dated:

\_\_\_\_\_  
Judge of the  
Superior  
Court

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**PROPOSED ORDER ON MOTION IN LIMINE NO. 3** The Court, having considered Defendant's motion, ORDERS that the prosecution's gang expert is precluded from relaying to the jury any case-specific, out-of-court statements in violation of *People v. Sanchez* (2016) 63 Cal.4th 665. The prosecution must establish the independent admissibility of any such evidence before it can be presented to the jury. **IT IS SO ORDERED.** Dated:

\_\_\_\_\_  
Judge of the  
Superior Court

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**PROPOSED ORDER ON MOTION IN LIMINE NO. 4** The Court, having considered Defendant's motion, ORDERS that the prosecution is precluded from publishing any graphic or gruesome photographs to the jury without first establishing, at a hearing outside

the jury's presence, that the probative value of each specific photograph substantially outweighs the danger of undue prejudice under Evidence Code § 352. **IT IS SO ORDERED.** Dated:

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Judge of the  
Superior Court

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**PROPOSED ORDER ON MOTION IN LIMINE NO. 5** The Court, having considered Defendant's motion, ORDERS that the prosecution, and its witnesses, are precluded from introducing or making any reference to Defendant's prior bad acts or uncharged misconduct, as such evidence constitutes inadmissible character evidence under Evidence Code § 1101(a).

**IT IS SO ORDERED.** Dated: \_\_\_\_\_

\_\_\_\_\_  
Judge of the Superior Court

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**PROPOSED ORDER ON MOTION IN LIMINE NO. 6** The Court, having considered Defendant's motion, ORDERS that the prosecution is precluded from introducing into evidence or making any reference to rap lyrics or social media posts attributed to the Defendant, as the probative value of such evidence is substantially outweighed by the danger of undue prejudice under Evidence Code § 352. **IT IS SO ORDERED.** Dated:

\_\_\_\_\_  
Judge of the Superior  
Court

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**Page 20 of 115 PROOF OF SERVICE (MOTIONS IN LIMINE)**

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**People v. Wade, Khamir Nicholas – Case No. 25CMCF0058501 – Dept. D** People v. Wade, Khamir Nicholas Case No.: 25CMCF0058501

I, the undersigned, declare:

I am over the age of 18 years and not a party to this action. On October 7, 2025, I served a true and correct copy of the foregoing **MOTIONS IN LIMINE 1-6** by placing it in a sealed envelope, with first-class postage fully prepaid, and depositing it in the United States Mail, addressed as follows:

**Los Angeles County District Attorney – Compton Branch** 200 W. Compton Blvd.  
Compton, CA 90220

**Los Angeles County Public Defender – Compton Office** 200 W. Compton Blvd. Compton, CA 90220

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on October 7, 2025.



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[SIGNATURE OF DECLARANT]

[PRINTED NAME OF DECLARANT]

Khamir Nicholas Wade

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**Page 21 of 115 MOTION 9: MOTION TO SEVER (Penal Code § 1098)**

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**People v. Wade, Khamir Nicholas – Case No. 25CMCF0058501 – Dept. D SUPERIOR  
COURT OF THE STATE OF CALIFORNIA COUNTY OF LOS ANGELES – COMPTON  
COURTHOUSE CRIMINAL DIVISION**

**PEOPLE OF THE STATE** Case No.: 25CMCF0058501 Dept: D Date: October 8, 2025 **OF  
CALIFORNIA**, Plaintiff, Time: 8:30 a.m.

v. **NOTICE OF MOTION AND MOTION TO SEVER CO-  
DEFENDANTS / COUNTS; MEMORANDUM OF  
POINTS AND AUTHORITIES**

**KHAMIR NICHOLAS (Penal Code § 1098) WADE,  
Defendant.**

**TO THE HONORABLE JUDGE OF THE SUPERIOR COURT, THE DISTRICT ATTORNEY,  
AND ALL INTERESTED PARTIES:**

Defendant, KHAMIR NICHOLAS WADE, appearing pro se, moves this Court for an order severing his trial from that of the co-defendants in this case, on the grounds that a joint trial would be unduly prejudicial and deprive him of his right to a fair trial.

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**MINI TABLE OF CONTENTS**

I. ISSUE PRESENTED II. STANDARD OF REVIEW III. RULE STATEMENTS IV.  
APPLICATION TO DEFENDANT V. REQUESTED RELIEF VI. PROPOSED ORDER

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## **I. ISSUE PRESENTED**

Whether there is a substantial danger of prejudice from a joint trial that requires the defendants' cases to be tried separately.

## **II. STANDARD OF REVIEW**

Penal Code § 1098 expresses a legislative preference for joint trials. However, a trial court has the discretion to order separate trials "in the face of an incriminating confession, prejudicial association with codefendants, likely confusion resulting from evidence on multiple counts, conflicting defenses, or the possibility that at a separate trial a codefendant would give exonerating testimony." (*People v. Massie* (1967) 66 Cal.2d 899, 917.) The court must order severance when there is a substantial danger of prejudice that outweighs the benefits of judicial economy.

## **III. RULE STATEMENTS**

A trial court's discretion to deny a severance motion is not unlimited. Severance is required when there is a serious risk that a joint trial would compromise a specific trial right of one of the defendants or prevent the jury from making a reliable judgment about guilt or innocence. Key factors include whether: (1) evidence of the co-defendants' wrongdoing could "spill over" and wrongly incriminate the defendant; (2) the prosecution may offer evidence that is admissible only against a co-defendant; and (3) the defendants will present conflicting and irreconcilable defenses. (*People v. Coffman and Marlow* (2004) 34 Cal.4th 1, 40.)

## **IV. APPLICATION TO DEFENDANT**

A joint trial in this matter would be fundamentally unfair and highly prejudicial for several reasons:

1. **Antagonistic Defenses:** Upon information and belief, the co-defendants intend to present a defense that is irreconcilable with Mr. Wade's. They will attempt to shift all blame to Mr. Wade to exculpate themselves. This conflict will create a situation where the co-defendants become a "second prosecution team," forcing Mr. Wade to defend against two accusers.
2. **Prejudicial Spillover Effect:** The evidence against the co-defendants is substantially stronger and more inflammatory than the evidence against Mr. Wade. Specifically, the co-defendants have extensive criminal histories and are associated with other violent acts that are not connected to Mr. Wade. There is an unacceptable risk that the jury will be unable to compartmentalize this evidence and will find Mr. Wade guilty by association.
3. **Evidentiary Issues:** The prosecution may seek to introduce statements made by a non-testifying co-defendant that incriminate Mr. Wade. Admitting such a statement would violate Mr. Wade's Sixth Amendment right to confrontation under *Bruton v. United States* (1968) 391 U.S. 123. Redaction is unlikely to cure the prejudice.

## **V. REQUESTED RELIEF**

Defendant respectfully requests that this Court order his trial be severed from that of his codefendants to protect his right to a fair trial and due process.

## **VI. CONCLUSION**

The significant risk of prejudice from antagonistic defenses and evidentiary spillover outweighs any interest in judicial economy. A severance is necessary to ensure a fair and reliable determination of guilt or innocence for each defendant.

Respectfully submitted,

Dated: October 7, 2025

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/s/ **Khamir Nicholas Wade** Khamir Nicholas Wade Defendant, Pro Se

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**Page 22 of 115 PROPOSED ORDER (MOTION TO SEVER)**

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**People v. Wade, Khamir Nicholas – Case No. 25CMCF0058501 – Dept. D** People v.

Wade, Khamir Nicholas Case No.: 25CMCF0058501

The Court, having considered Defendant's Motion to Sever, and good cause appearing, hereby

**ORDERS:**

[ ] The Motion is DENIED.

[ ] The Motion is GRANTED. The trial of Defendant Khamir Nicholas Wade shall be severed from the trial of the co-defendants in this matter.

**IT IS SO ORDERED.**

Dated: \_\_\_\_\_

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Judge of the Superior Court

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**PROOF OF SERVICE (MOTION TO SEVER)**

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**People v. Wade, Khamir Nicholas – Case No. 25CMCF0058501 – Dept. D** People v.

Wade, Khamir Nicholas Case No.: 25CMCF0058501

I, the undersigned, declare:

I am over the age of 18 years and not a party to this action. On October 7, 2025, I served a true and correct copy of the foregoing **MOTION TO SEVER CO-DEFENDANTS / COUNTS** by placing it in a sealed envelope, with first-class postage fully prepaid, and depositing it in the United States Mail, addressed as follows:

**Los Angeles County District Attorney – Compton Branch** 200 W. Compton Blvd.  
Compton, CA 90220

**Los Angeles County Public Defender – Compton Office** 200 W. Compton Blvd. Compton,  
CA 90220

**[Attorneys for Co-Defendants, if known]**

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on October 7, 2025.



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**[SIGNATURE OF DECLARANT]**

**[PRINTED NAME OF DECLARANT]**

Khamir Nicholas Wade

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**Page 23 of 115 MOTION 10: MOTION TO STRIKE GANG ENHANCEMENT (Penal  
Code § 186.22)**

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**People v. Wade, Khamir Nicholas – Case No. 25CMCF0058501 – Dept. D SUPERIOR COURT OF  
THE STATE OF CALIFORNIA COUNTY OF LOS ANGELES – COMPTON**

COURTHOUSE CRIMINAL DIVISION

**PEOPLE OF THE STATE** Case No.: 25CMCF0058501 Dept: D Date: October 8, 2025 **OF  
CALIFORNIA**, Plaintiff, Time: 8:30 a.m.

**NOTICE OF MOTION AND MOTION TO STRIKE****GANG ENHANCEMENT; MEMORANDUM OF****POINTS AND AUTHORITIES****KHAMIR NICHOLAS (Penal Code § 186.22)****WADE, Defendant.****TO THE HONORABLE JUDGE OF THE SUPERIOR COURT, THE DISTRICT ATTORNEY,****AND ALL INTERESTED PARTIES:**

Defendant, KHAMIR NICHOLAS WADE, appearing pro se, moves this Court for an order striking the gang enhancement allegation under Penal Code § 186.22, on the grounds that the prosecution cannot prove the essential elements of the enhancement with competent and admissible evidence.

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**MINI TABLE OF CONTENTS**

I. ISSUE PRESENTED II. STANDARD OF REVIEW III. RULE STATEMENTS IV.  
APPLICATION TO DEFENDANT V. REQUESTED RELIEF VI. PROPOSED ORDER

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**I. ISSUE PRESENTED**

Whether the prosecution can meet its burden of proof on the Penal Code § 186.22 gang enhancement allegation in light of the evidentiary requirements established by *People v. Prunty* and *People v. Sanchez*.

**II. STANDARD OF REVIEW**

The prosecution bears the burden of proving each element of a sentence enhancement beyond a reasonable doubt. The court must strike an enhancement if the prosecution's evidence is legally insufficient.

**III. RULE STATEMENTS**

To prove the gang enhancement under Penal Code § 186.22(b), the prosecution must prove, among other things, that the crime was committed for the benefit of a "criminal street

gang.” A “criminal street gang” is defined as any ongoing organization of three or more persons whose “primary activities” include the commission of one or more enumerated criminal acts, and who have a common name or symbol. The prosecution must also prove a “pattern of criminal gang activity” by showing the commission of two or more predicate offenses.

In *People v. Prunty* (2015) 62 Cal.4th 59, the California Supreme Court held that when the prosecution seeks to prove a pattern of activity using predicate offenses committed by members of various gang subsets, it must prove a connection among those subsets, showing they form a single “criminal street gang.”

In *People v. Sanchez* (2016) 63 Cal.4th 665, the court held that a gang expert cannot relate case-specific hearsay to the jury to prove the elements of a gang enhancement. The underlying facts for predicate offenses and a defendant’s alleged membership must be established with independently admissible evidence.

#### **IV. APPLICATION TO DEFENDANT**

The prosecution’s case for the gang enhancement is legally deficient for two primary reasons:

1. **Failure to Establish a “Criminal Street Gang” under *Prunty*:** The prosecution’s notice of evidence indicates it will rely on predicate offenses committed by members of different, disconnected cliques or subsets. The prosecution has not and cannot produce evidence of a collaborative relationship, shared leadership, or associational connection between these subsets to prove they function as a single organization under *Prunty*.
2. **Reliance on Inadmissible Hearsay under *Sanchez*:** The prosecution’s gang expert will seek to testify about the predicate offenses and Defendant’s alleged gang affiliation based entirely on a review of inadmissible hearsay, such as police reports and FI cards. The prosecution has not identified any witnesses with personal

knowledge who will provide admissible testimony to establish these foundational, case-specific facts. Without this inadmissible hearsay, the expert's opinion lacks foundation and the enhancement cannot be proven.

## **V. REQUESTED RELIEF**

Defendant requests an order striking the gang enhancement allegation under Penal Code § 186.22. In the alternative, Defendant requests an evidentiary hearing outside the presence of the jury to determine whether the prosecution can establish a prima facie case for the enhancement with admissible evidence.

## **VI. CONCLUSION**

The prosecution cannot meet its evidentiary burden under *Prunty* and *Sanchez*. The gang allegation is legally unsupported and should be stricken to prevent the introduction of highly prejudicial but inadmissible evidence before the jury.

Respectfully submitted,

Dated: October 7, 2025

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/s/ **Khamir Nicholas Wade** Khamir Nicholas Wade Defendant, Pro Se

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**Page 24 of 115 PROPOSED ORDER (MOTION TO STRIKE GANG  
ENHANCEMENT)**

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**People v. Wade, Khamir Nicholas – Case No. 25CMCF0058501 – Dept. D People v.**

Wade, Khamir Nicholas Case No.: 25CMCF0058501

The Court, having considered Defendant's Motion to Strike the Gang Enhancement, and good cause appearing, hereby **ORDERS**:

[ ] The Motion is DENIED.

[ ] The Motion is GRANTED. The sentence enhancement allegation under Penal Code § 186.22 is STRICKEN from the Information. The prosecution is precluded from presenting any evidence related to this enhancement at trial.

[ ] An evidentiary hearing is set for \_\_\_\_\_ to determine the admissibility of the prosecution's foundational evidence for the gang enhancement.

**IT IS SO ORDERED.**

Dated: \_\_\_\_\_

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Judge of the Superior Court

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**PROOF OF SERVICE (MOTION TO STRIKE GANG ENHANCEMENT)**

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**People v. Wade, Khamir Nicholas – Case No. 25CMCF0058501 – Dept. D** People v.

Wade, Khamir Nicholas Case No.: 25CMCF0058501

I, the undersigned, declare:

I am over the age of 18 years and not a party to this action. On October 7, 2025, I served a true and correct copy of the foregoing **MOTION TO STRIKE GANG ENHANCEMENT (PENAL CODE § 186.22)** by placing it in a sealed envelope, with first-class postage fully prepaid, and depositing it in the United States Mail, addressed as follows:

**Los Angeles County District Attorney – Compton Branch** 200 W. Compton Blvd.

Compton, CA 90220

**Los Angeles County Public Defender – Compton Office** 200 W. Compton Blvd. Compton, CA 90220

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on October 7, 2025.



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[SIGNATURE OF DECLARANT]

[PRINTED NAME OF DECLARANT]

Khamir Nicholas Wade

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**Page 25 of 115 MOTION 11: MOTION TO BIFURCATE TRIAL ON PRIOR CONVICTIONS**

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**People v. Wade, Khamir Nicholas – Case No. 25CMCF0058501 – Dept. D SUPERIOR  
COURT OF THE STATE OF CALIFORNIA COUNTY OF LOS ANGELES – COMPTON  
COURTHOUSE CRIMINAL DIVISION**

**PEOPLE OF THE STATE** Case No.: 25CMCF0058501 Dept: D Date: October 8, 2025

**OF CALIFORNIA,** Time: 8:30 a.m.

Plaintiff,

**v. NOTICE OF MOTION AND MOTION TO BIFURCATE TRIAL ON PRIOR CONVICTIONS; MEMORANDUM**

**OF POINTS AND AUTHORITIES**

**KHAMIR NICHOLAS**

**WADE, Defendant.**

**TO THE HONORABLE JUDGE OF THE SUPERIOR COURT, THE DISTRICT ATTORNEY,  
AND ALL INTERESTED PARTIES:**

Defendant, KHAMIR NICHOLAS WADE, appearing pro se, moves this Court for an order bifurcating the trial on the allegations of his prior convictions from the trial on the underlying charges.

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## **MINI TABLE OF CONTENTS**

I. ISSUE PRESENTED II. STANDARD OF REVIEW III. RULE STATEMENTS IV.  
APPLICATION TO DEFENDANT V. REQUESTED RELIEF VI. PROPOSED ORDER

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### **I. ISSUE PRESENTED**

Whether the trial on alleged prior convictions should be bifurcated from the guilt phase of the trial to avoid undue prejudice to the Defendant.

### **II. STANDARD OF REVIEW**

A trial court has the discretion to bifurcate the determination of the truth of prior conviction allegations from the determination of the defendant's guilt on the current charges. (*People v. Calderon* (1994) 9 Cal.4th 69, 74-75.) Bifurcation is appropriate and often necessary to ensure the defendant's right to a fair trial, as the admission of prior conviction evidence during the guilt phase can be highly prejudicial.

### **III. RULE STATEMENTS**

In *People v. Bracamonte* (1981) 119 Cal.App.3d 644, the court held that a trial court must grant a defendant's motion to bifurcate the trial of prior conviction allegations when the prior is not an element of the charged offense. The *Bracamonte* rule is designed to prevent the jury from being prejudiced by knowledge of the defendant's criminal history when deciding his guilt on the current charges. Evidence of prior convictions is often so prejudicial that a limiting instruction cannot cure the harm. While *Calderon* clarified that bifurcation is not always mandatory, it affirmed that it is the preferred practice, and a court abuses its discretion if it denies bifurcation where the risk of prejudice is substantial.

### **IV. APPLICATION TO DEFENDANT**

The Information alleges that Defendant has suffered prior convictions. These priors are not an element of any of the currently charged offenses. Introducing evidence of these alleged priors during the guilt phase of the trial would be extraordinarily prejudicial. It would create an unacceptable risk that the jury would convict Defendant not based on the evidence related to the current charges, but on the impermissible inference that he has a criminal disposition.

There is no legitimate reason for the jury to hear about these alleged prior convictions before they have determined Defendant's guilt on the current charges. A limiting instruction would be insufficient to cure the prejudice. The only way to ensure a fair trial is to bifurcate the proceedings.

#### **V. REQUESTED RELIEF**

Defendant respectfully requests that this Court order the trial on the alleged prior convictions to be bifurcated from the trial on the substantive charges. Defendant further requests that no evidence or mention of the alleged priors be presented to the jury until after a verdict has been reached in the guilt phase.

#### **VI. CONCLUSION**

To protect Defendant's right to a fair and impartial jury, this Court should grant the motion to bifurcate.

Respectfully submitted,

Dated: October 7, 2025



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/s/ **Khamir Nicholas Wade** Khamir Nicholas Wade Defendant, Pro Se

Khamir Nicholas Wade

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**People v. Wade, Khamir Nicholas – Case No. 25CMCF0058501 – Dept. D People v.**

Wade, Khamir Nicholas Case No.: 25CMCF0058501

The Court, having considered Defendant's Motion to Bifurcate Trial on Prior Convictions, and good cause appearing, hereby **ORDERS**:

1. The Motion is **GRANTED**.
2. The trial on the truth of the prior conviction allegations is bifurcated from the trial on the currently charged offenses.
3. No evidence of, or reference to, Defendant's alleged prior convictions shall be presented to the jury during the guilt phase of the trial.
4. If the jury returns a verdict of guilty on any of the charged offenses, a trial on the prior conviction allegations will be held before the same jury, unless waived.

**IT IS SO ORDERED.**

Dated: \_\_\_\_\_

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Judge of the Superior Court

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**PROOF OF SERVICE (MOTION TO BIFURCATE)**

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**People v. Wade, Khamir Nicholas – Case No. 25CMCF0058501 – Dept. D People v.**

Wade, Khamir Nicholas Case No.: 25CMCF0058501

I, the undersigned, declare:

I am over the age of 18 years and not a party to this action. On October 7, 2025, I served a true and correct copy of the foregoing **MOTION TO BIFURCATE TRIAL ON PRIOR**

**CONVICTIONS** by placing it in a sealed envelope, with first-class postage fully prepaid, and depositing it in the United States Mail, addressed as follows:

**Los Angeles County District Attorney – Compton Branch** 200 W. Compton Blvd.

Compton, CA 90220

**Los Angeles County Public Defender – Compton Office** 200 W. Compton Blvd. Compton, CA 90220

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on October 7, 2025.

---

[SIGNATURE OF DECLARANT]

[PRINTED NAME OF DECLARANT]

Khamir Nicholas Wade

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**Page 27 of 115 MOTION 12: MOTION FOR CHANGE OF VENUE (Penal Code § 1033)**

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**People v. Wade, Khamir Nicholas – Case No. 25CMCF0058501 – Dept. D SUPERIOR COURT OF THE STATE OF CALIFORNIA COUNTY OF LOS ANGELES – COMPTON COURTHOUSE CRIMINAL DIVISION**

**PEOPLE OF THE STATE** Case No.: 25CMCF0058501 Dept: D Date: October 8, 2025 **OF CALIFORNIA**, Plaintiff, Time: 8:30 a.m.

v. **NOTICE OF MOTION AND MOTION FOR CHANGE**

**OF VENUE; MEMORANDUM OF POINTS AND**

**AUTHORITIES**

**KHAMIR NICHOLAS WADE, Defendant.** **(Penal Code § 1033)**

**TO THE HONORABLE JUDGE OF THE SUPERIOR COURT, THE DISTRICT ATTORNEY,**

**AND ALL INTERESTED PARTIES:**

Defendant, KHAMIR NICHOLAS WADE, appearing pro se, moves this Court for an order changing venue from Los Angeles County to another county, on the ground that a fair and impartial trial cannot be had in this county.

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**MINI TABLE OF CONTENTS**

I. ISSUE PRESENTED II. STANDARD OF REVIEW III. RULE STATEMENTS IV.  
APPLICATION TO DEFENDANT V. REQUESTED RELIEF VI. PROPOSED ORDER

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**I. ISSUE PRESENTED**

Whether there is a reasonable likelihood that a fair and impartial trial cannot be had in Los Angeles County due to widespread and prejudicial pre-trial publicity and pervasive community hostility.

**II. STANDARD OF REVIEW**

A change of venue must be granted when the defendant shows a reasonable likelihood that a fair and impartial trial cannot be had in the county. (Penal Code § 1033(a).) “Reasonable likelihood” does not mean “more probable than not,” but rather a substantial probability of prejudice. The court must consider several factors, including the nature and gravity of the offense, the nature and extent of the media coverage, the size of the community, and the status of the defendant and the victim in the community. (*People v. Williams* (1989) 48 Cal.3d 1112, 1125.)

**III. RULE STATEMENTS**

A criminal defendant has a constitutional right to a trial by an impartial jury. When widespread media coverage and community outrage make it impossible to empanel an impartial jury, a change of venue is the necessary remedy to protect that right. The factors to

be evaluated by the court are: (1) the nature and gravity of the offense; (2) the nature and extent of news coverage; (3) the size of the community; (4) the status of the defendant in the community; and (5) the popularity and prominence of the victim, if any. (*People v. Harris* (1981) 28 Cal.3d 935, 948.)

#### **IV. APPLICATION TO DEFENDANT**

A change of venue is required in this case.

1. **Nature and Gravity of the Offense:** Defendant is charged with murder with a gang enhancement, one of the most serious offenses under California law. The inflammatory nature of the charges themselves creates a high potential for prejudice.
2. **Nature and Extent of News Coverage:** This case has been the subject of extensive and prejudicial pre-trial publicity in local news outlets and on social media platforms circulating within Los Angeles County. The coverage has been sensationalized, consistently portraying Defendant as a guilty and dangerous gang member. This media saturation has created a hostile and biased atmosphere, making it impossible to find twelve jurors who have not been exposed to and influenced by this prejudicial information.
3. **Community Hostility:** The alleged crime has generated significant public outrage and hostility within the community where the trial is venued. This deep-seated animosity toward the Defendant, fueled by media reports, makes it reasonably likely that jurors will be unable to remain impartial.
4. **Status of Defendant:** Defendant is a young man with a history of trauma and mental health challenges, and he is being portrayed as a hardened criminal. He lacks standing or positive connections in the community that could counteract the negative publicity. Considering the totality of these circumstances, there is a reasonable likelihood that

Defendant cannot receive a fair trial in Los Angeles County.

#### **V. REQUESTED RELIEF**

Defendant respectfully requests that this Court grant a change of venue and order this case be transferred to a different, suitable county for trial.

#### **VI. CONCLUSION**

To protect Defendant's constitutional right to a fair trial by an impartial jury, this Court must order a change of venue. Respectfully submitted,

Dated: October 7, 2025

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/s/ **Khamir Nicholas Wade** Khamir Nicholas Wade Defendant, Pro Se

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**Page 28 of 115 PROPOSED ORDER (MOTION FOR CHANGE OF VENUE)**

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**People v. Wade, Khamir Nicholas – Case No. 25CMCF0058501 – Dept. D** People v.

Wade, Khamir Nicholas Case No.: 25CMCF0058501

The Court, having considered Defendant's Motion for Change of Venue, and good cause appearing, hereby **ORDERS**:

[ ] The Motion is DENIED.

[ ] The Motion is GRANTED. The venue for the trial in this matter is transferred from the County of Los Angeles to the County of \_\_\_\_\_ . The Clerk of this Court is directed to transmit all original filings to the Clerk of the Superior Court for that county.

**IT IS SO ORDERED.**

Dated: \_\_\_\_\_

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Judge of the Superior Court

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**PROOF OF SERVICE (MOTION FOR CHANGE OF VENUE)**

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**People v. Wade, Khamir Nicholas – Case No. 25CMCF0058501 – Dept. D People v.**

Wade, Khamir Nicholas Case No.: 25CMCF0058501

I, the undersigned, declare:

I am over the age of 18 years and not a party to this action. On October 7, 2025, I served a true and correct copy of the foregoing **MOTION FOR CHANGE OF VENUE (PENAL CODE § 1033)** by placing it in a sealed envelope, with first-class postage fully prepaid, and depositing it in the United States Mail, addressed as follows:

**Los Angeles County District Attorney – Compton Branch** 200 W. Compton Blvd.

Compton, CA 90220

**Los Angeles County Public Defender – Compton Office** 200 W. Compton Blvd. Compton, CA 90220

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on October 7, 2025.



---

[SIGNATURE OF DECLARANT]

[PRINTED NAME OF DECLARANT]

Khamir Nicholas Wade

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**Page 29 of 115 MOTION 13: MOTION FOR APPOINTMENT OF ANCILLARY**

DEFENSE EXPERTS (Evidence Code § 730)

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**People v. Wade, Khamir Nicholas – Case No. 25CMCF0058501 – Dept. D SUPERIOR**

COURT OF THE STATE OF CALIFORNIA COUNTY OF LOS ANGELES – COMPTON  
COURTHOUSE CRIMINAL DIVISION

**PEOPLE OF THE STATE** Case No.: 25CMCF0058501 Dept: D Date: October 8, 2025

**OF CALIFORNIA,** Time: 8:30 a.m.

Plaintiff,

v. **NOTICE OF MOTION AND MOTION FOR  
APPOINTMENT OF ANCILLARY DEFENSE EXPERTS;  
MEMORANDUM OF POINTS AND AUTHORITIES KHAMIR**

**NICHOLAS (Evidence Code § 730)**

**WADE, Defendant.**

**TO THE HONORABLE JUDGE OF THE SUPERIOR COURT, THE DISTRICT ATTORNEY,  
AND ALL INTERESTED PARTIES:**

Defendant, KHAMIR NICHOLAS WADE, appearing pro se, moves this Court for an order authorizing the appointment of ancillary defense experts in the fields of ballistics, digital forensics, and eyewitness identification psychology.

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**MINI TABLE OF CONTENTS**

I. ISSUE PRESENTED II. STANDARD OF REVIEW III. RULE STATEMENTS IV.  
APPLICATION TO DEFENDANT V. REQUESTED RELIEF VI. PROPOSED ORDER

---

**I. ISSUE PRESENTED**

Whether the appointment of experts in ballistics, digital forensics, and eyewitness identification is reasonably necessary to ensure Defendant's constitutional right to an effective defense.

**II. STANDARD OF REVIEW**

An indigent defendant is entitled to public funds for the appointment of experts when it is shown to be “reasonably necessary” for the preparation of the defense. (Evidence Code § 730; *Corenevsky v. Superior Court* (1984) 36 Cal.3d 307, 319.) Reasonable necessity is established when the defendant demonstrates that the expert’s services are needed to test the prosecution’s evidence, present a defense, or explore a critical issue in the case.

### **III. RULE STATEMENTS**

Evidence Code § 730 provides that “[w]hen it appears to the court... that expert evidence is or may be required by the court or by any party to the action, the court... may appoint one or more experts to investigate, to render a report as may be ordered by the court, and to testify as an expert at the trial...” The constitutional right to effective assistance of counsel includes the right to ancillary services, such as expert witnesses, necessary to prepare a defense. This right is grounded in the due process and equal protection clauses of the

Fourteenth Amendment.

### **IV. APPLICATION TO DEFENDANT**

The appointment of the requested experts is reasonably necessary for the defense in this complex case.

1. **Ballistics Expert:** The prosecution’s case relies heavily on firearm evidence. A defense ballistics expert is necessary to independently examine the alleged weapon, casings, and bullets; review the prosecution expert’s findings for accuracy and potential errors; and provide an independent opinion on critical issues such as operability and whether the evidence conclusively links the weapon to the crime scene.
2. **Digital Forensics Expert:** The prosecution intends to use cell-site location information (CSLI) to place Defendant at the scene of the crime. A digital forensics expert with expertise in CSLI analysis is essential to review the raw data, assess its accuracy and

limitations, challenge the prosecution's interpretation, and explain to the jury the potential for error and imprecision in this complex technology.

3. **Eyewitness Identification Expert:** The case against Defendant rests significantly on a single eyewitness identification made under questionable circumstances. An expert in the psychology of eyewitness memory is necessary to educate the jury about scientifically validated factors that can affect the reliability of an identification, such as stress, weapon focus, and cross-racial identification. This testimony is critical to help the jury properly evaluate the accuracy of the identification evidence. Without these experts, the defense will be unable to meaningfully challenge the prosecution's scientific and technical evidence or present a complete defense.

## **V. REQUESTED RELIEF**

Defendant respectfully requests an order appointing defense experts in the fields of ballistics, digital forensics (CSLI), and eyewitness identification psychology, with payment for their services to be made from public funds.

## **VI. CONCLUSION**

To ensure a fair trial and effective assistance of counsel, the appointment of the requested experts is reasonably necessary.

Respectfully submitted,

Dated: October 7, 2025

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/s/ **Khamir Nicholas Wade** Khamir Nicholas Wade Defendant, Pro Se

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**Page 30 of 115 PROPOSED ORDER (MOTION FOR ANCILLARY EXPERTS)**

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**People v. Wade, Khamir Nicholas – Case No. 25CMCF0058501 – Dept. D People v.**

Wade, Khamir Nicholas Case No.: 25CMCF0058501

The Court, having considered Defendant's Motion for Appointment of Ancillary Defense Experts, and good cause appearing, hereby **ORDERS**:

1. The Motion is **GRANTED**.
2. The Court authorizes the appointment of the following experts for the defense, pursuant to Evidence Code § 730:
  - One expert in the field of ballistics and firearms examination.
  - One expert in the field of digital forensics, with a specialization in cell-site location information (CSLI) analysis.
  - One expert in the psychology of eyewitness identification.
3. The cost of these expert services, up to a reasonable amount, shall be paid from county funds.

**IT IS SO ORDERED.**

Dated: \_\_\_\_\_

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Judge of the Superior Court

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**PROOF OF SERVICE (MOTION FOR ANCILLARY EXPERTS)**

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**People v. Wade, Khamir Nicholas – Case No. 25CMCF0058501 – Dept. D People v.**

Wade, Khamir Nicholas Case No.: 25CMCF0058501

I, the undersigned, declare:

I am over the age of 18 years and not a party to this action. On October 7, 2025, I served a true and correct copy of the foregoing **MOTION FOR APPOINTMENT OF**

**ANCILLARY DEFENSE EXPERTS (EVIDENCE CODE § 730)** by placing it in a sealed envelope, with first-class postage fully prepaid, and depositing it in the United States Mail, addressed as follows:

**Los Angeles County District Attorney – Compton Branch** 200 W. Compton Blvd.

Compton, CA 90220

**Los Angeles County Public Defender – Compton Office** 200 W. Compton Blvd. Compton, CA 90220

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on October 7, 2025.



---

[SIGNATURE OF DECLARANT]

[PRINTED NAME OF DECLARANT]

Khamir Nicholas Wade

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**Page 31 of 115 MOTION 14: MOTION TO EXCLUDE COERCED OR UNRELIABLE STATEMENTS (Evidence Code § 402)**

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**People v. Wade, Khamir Nicholas – Case No. 25CMCF0058501 – Dept. D SUPERIOR COURT OF THE STATE OF CALIFORNIA COUNTY OF LOS ANGELES – COMPTON COURTHOUSE CRIMINAL DIVISION**

**PEOPLE OF THE STATE** Case No.: 25CMCF0058501 Dept: D Date: October 8, 2025

**OF CALIFORNIA,** Time: 8:30 a.m.

Plaintiff,

v.

**NOTICE OF MOTION AND MOTION TO EXCLUDE  
COERCED OR UNRELIABLE STATEMENTS;  
MEMORANDUM OF POINTS AND AUTHORITIES**

**PEOPLE OF THE STATE** Case No.: 25CMCF0058501 Dept: D Date: October 8, 2025

**OF CALIFORNIA,** Time: 8:30 a.m.

Plaintiff,

**KHAMIR NICHOLAS (Evidence Code § 402)**

**WADE, Defendant.**

**TO THE HONORABLE JUDGE OF THE SUPERIOR COURT, THE DISTRICT ATTORNEY,  
AND ALL INTERESTED PARTIES:**

Defendant, KHAMIR NICHOLAS WADE, appearing pro se, moves this Court for an order excluding any and all statements he allegedly made to law enforcement, on the grounds that such statements were obtained in violation of his constitutional rights and were involuntary.

Defendant requests a hearing pursuant to Evidence Code § 402 to determine the admissibility of these statements.

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#### **MINI TABLE OF CONTENTS**

I. ISSUE PRESENTED II. STANDARD OF REVIEW III. RULE STATEMENTS IV.  
APPLICATION TO DEFENDANT V. REQUESTED RELIEF VI. PROPOSED ORDER

---

#### **I. ISSUE PRESENTED**

Whether statements allegedly made by the Defendant to law enforcement were involuntary and obtained in violation of his Fifth Amendment rights under *Miranda v. Arizona*, rendering them inadmissible at trial.

#### **II. STANDARD OF REVIEW**

The prosecution has the burden of proving by a preponderance of the evidence that a defendant's statements were voluntary. (*Lego v. Twomey* (1972) 404 U.S. 477, 489.) The court

must examine the totality of the circumstances surrounding the interrogation to determine if the defendant's "will was overborne." (*Schneckloth v. Bustamonte* (1973) 412 U.S. 218, 226.)

### **III. RULE STATEMENTS**

The Fifth Amendment to the United States Constitution guarantees that no person shall be compelled in any criminal case to be a witness against himself. To protect this right, statements made during a custodial interrogation are inadmissible unless the suspect was first advised of his rights to remain silent and to an attorney. (*Miranda v. Arizona* (1966) 384 U.S.

436.) A waiver of these rights must be knowing, intelligent, and voluntary.

Beyond *Miranda*, a statement is inadmissible if it was coerced or involuntary. Coercion can be physical or psychological. In determining voluntariness, courts consider factors such as the defendant's age, education, and intelligence; the length and location of the interrogation; and the nature of the questioning, including any threats, promises, or deception by law enforcement. (*People v. Williams* (1997) 16 Cal.4th 635, 660.)

### **IV. APPLICATION TO DEFENDANT**

Upon information and belief, any statements obtained from Defendant were the product of coercion and constitutional violations.

1. ***Miranda* Violation:** It is unclear whether Defendant was properly advised of his *Miranda* rights before custodial interrogation began. Even if the warnings were given, Defendant's documented mental illness and cognitive impairments raise a substantial question as to whether he could have knowingly and intelligently waived his rights.

2. **Involuntariness and Coercion:** Defendant is particularly vulnerable to coercive interrogation tactics due to his history of trauma, abuse, and mental illness, including psychosis and paranoia. Law enforcement may have exploited these vulnerabilities through prolonged questioning, deceptive tactics, or implied threats or promises.

Given his mental state, it is highly likely that his will was overborne and that any statements he made were not the product of a rational intellect and free will. A hearing under Evidence Code § 402 is necessary for the court to hear testimony from the interrogating officers and to fully assess the totality of the circumstances under which the alleged statements were made.

## **V. REQUESTED RELIEF**

Defendant respectfully requests that this Court: 1. Hold an evidentiary hearing pursuant to Evidence Code § 402 to determine the voluntariness and admissibility of any statements allegedly made by Defendant. 2. Order the suppression and exclusion of all statements found to be involuntary or obtained in violation of his *Miranda* rights.

## **VI. CONCLUSION**

The prosecution cannot meet its burden of proving that Defendant's statements were voluntary. To protect Defendant's Fifth Amendment rights, this Court should grant a hearing and ultimately exclude the statements.

Respectfully submitted,

Dated: October 7, 2025

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/s/ **Khamir Nicholas Wade** Khamir Nicholas Wade Defendant, Pro Se

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**People v. Wade, Khamir Nicholas – Case No. 25CMCF0058501 – Dept. D People v.**

Wade, Khamir Nicholas Case No.: 25CMCF0058501

The Court, having considered Defendant's Motion to Exclude Coerced or Unreliable Statements, and good cause appearing, hereby **ORDERS**:

1. An evidentiary hearing pursuant to Evidence Code § 402 is set for \_\_\_\_\_ to determine the admissibility of any and all statements allegedly made by Defendant to law enforcement.
2. The prosecution is precluded from introducing any such statements or referencing them in the presence of the jury until the Court has ruled on their admissibility following the hearing.

**IT IS SO ORDERED.**

Dated: \_\_\_\_\_

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Judge of the Superior Court

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**PROOF OF SERVICE (MOTION TO EXCLUDE STATEMENTS)**

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**People v. Wade, Khamir Nicholas – Case No. 25CMCF0058501 – Dept. D People v.**

Wade, Khamir Nicholas Case No.: 25CMCF0058501

I, the undersigned, declare:

I am over the age of 18 years and not a party to this action. On October 7, 2025, I served a true and correct copy of the foregoing **MOTION TO EXCLUDE COERCED OR UNRELIABLE STATEMENTS (EVIDENCE CODE § 402)** by placing it in a sealed envelope, with first-class postage fully prepaid, and depositing it in the United States Mail, addressed as follows:

**Los Angeles County District Attorney – Compton Branch** 200 W. Compton Blvd.  
Compton, CA 90220

**Los Angeles County Public Defender – Compton Office** 200 W. Compton Blvd. Compton,  
CA 90220

I declare under penalty of perjury under the laws of the State of California that the foregoing  
is true and correct.

Executed on October 7, 2025.



---

[SIGNATURE OF DECLARANT]

[PRINTED NAME OF DECLARANT]

Khamir Nicholas Wade

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Page 33 of 115 MOTION 15: MOTION TO SEAL RECORDS (Cal. Rules of Court, Rule  
2.550)

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**People v. Wade, Khamir Nicholas – Case No. 25CMCF0058501 – Dept. D SUPERIOR  
COURT OF THE STATE OF CALIFORNIA COUNTY OF LOS ANGELES – COMPTON  
COURTHOUSE CRIMINAL DIVISION**

**PEOPLE OF THE STATE OF** Case No.: 25CMCF0058501 Dept: D Date: October 8, 2025  
**CALIFORNIA,** Plaintiff, Time: 8:30 a.m.

v.

**NOTICE OF MOTION AND MOTION TO SEAL  
RECORDS; MEMORANDUM OF POINTS AND  
AUTHORITIES**

**KHAMIR NICHOLAS** (California Rules of Court, Rule 2.550)  
**WADE,** Defendant.

**TO THE HONORABLE JUDGE OF THE SUPERIOR COURT, THE DISTRICT ATTORNEY,**

**AND ALL INTERESTED PARTIES:**

Defendant, KHAMIR NICHOLAS WADE, appearing pro se, moves this Court for an order sealing records in this case that contain sensitive and confidential information, including the Confidential Mitigation Letter and supporting exhibits, and any records pertaining to Defendant's mental health.

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**MINI TABLE OF CONTENTS**

I. ISSUE PRESENTED II. STANDARD OF REVIEW III. RULE STATEMENTS IV.  
APPLICATION TO DEFENDANT V. REQUESTED RELIEF VI. PROPOSED ORDER

---

**I. ISSUE PRESENTED**

Whether there is an overriding interest that overcomes the right of public access to certain records in this case, such that sealing is necessary to protect Defendant's rights and safety.

**II. STANDARD OF REVIEW**

A court may order a record sealed only if it makes express findings of fact that: (1) There exists an overriding interest that overcomes the right of public access to the record; (2) The overriding interest supports sealing the record; (3) A substantial probability exists that the overriding interest will be prejudiced if the record is not sealed; (4) The proposed sealing is narrowly tailored; and (5) No less restrictive means exist to achieve the overriding interest.  
(Cal. Rules of Court, rule 2.550(d).)

**III. RULE STATEMENTS**

While court records are presumptively open, the public's right of access is not absolute. The court may seal records to protect other, higher values, including a criminal defendant's right to a fair trial and the safety of the defendant and his family. The protection of confidential

medical and psychological information is a recognized privacy interest that may justify sealing.

#### **IV. APPLICATION TO DEFENDANT**

An order sealing certain documents in this case is necessary to protect overriding interests.

1. **Overriding Interest:** The primary overriding interests are (a) Defendant's constitutional right to a fair trial, (b) Defendant's right to privacy in his medical and mental health information, and (c) the physical safety of Defendant and his family.
2. **Prejudice if Not Sealed:** Public disclosure of the Confidential Mitigation Letter and related materials would reveal highly sensitive, personal, and prejudicial information concerning Defendant's history of trauma, abuse, and severe mental health issues. Publicizing this information would taint the potential jury pool, making a fair trial impossible. Furthermore, disclosure of certain facts could expose Defendant and his family to threats, harassment, or physical violence from third parties.
3. **Narrowly Tailored:** Defendant does not seek to seal the entire record. This request is narrowly tailored to seal only those specific documents containing confidential mental health information and sensitive details that could endanger his family or compromise his right to a fair trial, namely the Confidential Mitigation Letter and its supporting exhibits.
4. **No Less Restrictive Means:** There are no less restrictive means to protect Defendant's rights and safety. Redaction would be insufficient to protect the sensitive nature of the information contained within these specific documents.

#### **V. REQUESTED RELIEF**

Defendant respectfully requests an order sealing the “Confidential Mitigation Letter” and all attached exhibits, as well as any future filings pertaining to Defendant’s medical or mental health evaluations.

## **VI. CONCLUSION**

The Defendant’s right to a fair trial, his privacy, and his family’s safety are overriding interests that justify a narrowly tailored sealing order for specific documents in this case.

Respectfully submitted,

Dated: October 7, 2025

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/s/ **Khamir Nicholas Wade** Khamir Nicholas Wade Defendant, Pro Se

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**Page 34 of 115 PROPOSED ORDER (MOTION TO SEAL RECORDS)**

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**People v. Wade, Khamir Nicholas – Case No. 25CMCF0058501 – Dept. D People v.**

Wade, Khamir Nicholas Case No.: 25CMCF0058501

The Court, having considered Defendant’s Motion to Seal Records, and making the express findings required by California Rules of Court, rule 2.550(d), hereby **ORDERS**:

1. The Motion is **GRANTED**.
2. The Court finds that there is an overriding interest in protecting the Defendant’s right to a fair trial and the privacy of his medical information, and this interest overcomes the public’s right of access.
3. The following documents shall be filed under seal, accessible only to the Court, the parties, and their counsel:
  - The Confidential Mitigation Letter submitted on behalf of Defendant.
  - All exhibits attached to the Confidential Mitigation Letter.

- All future reports, evaluations, or records pertaining to Defendant's mental or physical health.

**IT IS SO ORDERED.**

Dated: \_\_\_\_\_

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Judge of the Superior Court

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**PROOF OF SERVICE (MOTION TO SEAL RECORDS)**

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**People v. Wade, Khamir Nicholas – Case No. 25CMCF0058501 – Dept. D People v.**

Wade, Khamir Nicholas Case No.: 25CMCF0058501

I, the undersigned, declare:

I am over the age of 18 years and not a party to this action. On October 7, 2025, I served a true and correct copy of the foregoing **MOTION TO SEAL RECORDS (CAL. RULES OF COURT, RULE 2.550)** by placing it in a sealed envelope, with first-class postage fully prepaid, and depositing it in the United States Mail, addressed as follows:

**Los Angeles County District Attorney – Compton Branch** 200 W. Compton Blvd.

Compton, CA 90220

**Los Angeles County Public Defender – Compton Office** 200 W. Compton Blvd. Compton, CA 90220

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on October 7, 2025.



---

**[SIGNATURE OF DECLARANT]**

[PRINTED NAME OF DECLARANT]

Khamir Nicholas Wade

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**Page 35 of 115 CONFIDENTIAL MITIGATION LETTER**

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**People v. Wade, Khamir Nicholas – Case No. 25CMCF0058501 – Dept. D**

**CONFIDENTIAL MITIGATION LETTER – NOT FOR PUBLIC DISCLOSURE**

**TO:** The Honorable Judge of the Superior Court, Department D The People of the State of California, c/o Los Angeles County District Attorney Counsel for Defendant, c/o Los Angeles County Public Defender

**FROM:** Thurman Malik Robinson, Uncle of the Defendant

**DATE:** October 7, 2025

**RE: CONFIDENTIAL MITIGATION INFORMATION People v. Wade, Khamir Nicholas, Case No. 25CMCF0058501**

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Your Honor, Counsel:

I submit this letter to provide the Court and the parties with critical background and mitigation information regarding my nephew, Khamir Nicholas Wade. This information is provided not to excuse the serious charges he faces, but to ensure that any judgment is informed by a complete understanding of the severe trauma, profound mental illness, and systemic failures that have defined his life. This information is sensitive and could place my family and Khamir at risk if publicly disclosed; therefore, it is submitted in conjunction with a motion to seal.

#### **I. A Life Defined by Trauma and Mental Illness**

From a young age, Khamir was subjected to profound neglect and abuse. He was removed from his mother's care due to instability and later experienced further instability and abuse in

other placements. He was rendered homeless multiple times as a minor, leaving him vulnerable to exploitation.

During his adolescence, while homeless, Khamir was the victim of repeated sexual assaults by older, predatory individuals who used drugs to facilitate the abuse. This history of sexual victimization has resulted in severe, complex post-traumatic stress disorder (C-PTSD), characterized by: **Chronic Hallucinations:** Khamir experiences both auditory and visual hallucinations, which he has described as “seeing demons.” These psychotic symptoms impair his perception of reality. **Dissociative Episodes:** He suffers from periods of dissociation, where he feels detached from his body and reality. These episodes are a direct result of his trauma. **Paranoia and Impaired Social Functioning:** His experiences have led to severe trust issues and an inability to form healthy attachments or rationally assess risk. These are not character flaws; they are documented symptoms of severe mental illness rooted in a childhood of unimaginable trauma.

## **II. Impact of Maternal Instability and Intergenerational Trauma**

Khamir’s return to his mother’s custody during his middle school years unfortunately did not provide the stability he desperately needed. Instead, he was immersed in an environment of constant uncertainty. This instability was not a choice but a product of his mother’s own significant challenges, reflecting a cycle of intergenerational trauma. Public records, including Los Angeles Superior Court Case No. 20STCV42355, document his mother’s struggles with housing, including a wrongful eviction action and a period where utility shut-offs created a medical emergency for Khamir, who required a nebulizer. This chaotic environment, marked by housing insecurity and the manifest stress of his primary caregiver, directly contributed to Khamir’s own periods of homelessness. Without a stable home to return to, he became exceptionally vulnerable to the predatory influences of the

street, which offered a false sense of belonging and survival that his home environment could not.

This history stands in stark contrast to the environment I am now able and willing to provide.

Where his childhood was marked by instability, I can offer a foundation of structure, supervision, and unwavering support. My commitment is to break this cycle of trauma by providing the resources, guidance, and stable home that Khamir has never had.

### **III. Proposed Re-Entry and Rehabilitation Plan**

We do not ask for impunity, but for a disposition that prioritizes rehabilitation and public safety over purely punitive measures. Should the Court find it appropriate, I am prepared to personally oversee and fund a comprehensive, structured re-entry plan. This is not a vague promise but a concrete plan:

1. **Housing:** I will provide stable, secure housing for Khamir at my residence, away from the negative influences that have dominated his life.
2. **Education:** I will immediately enroll him in a program to complete his GED. I have previously trained him in tax preparation and other vocational skills, and I will continue this training to provide him with a legitimate career path.
3. **Therapy:** I will secure intensive, trauma-informed psychotherapy with a licensed professional specializing in C-PTSD and abuse survivors. I will also ensure he receives a psychiatric evaluation and complies with any prescribed medication management.
4. **Monitoring:** I will agree to any form of monitoring the court deems necessary, including electronic monitoring, regular check-ins, and monthly compliance reports submitted directly to the Court and probation.

5. **Zero Gang Contact:** A condition of his supervision would be a strict, zero-tolerance policy for any contact with gang members or affiliates. I would be responsible for reporting any violations immediately.

Khamir is not beyond hope, but he is beyond the point where incarceration alone can address the root causes of his behavior. A structured, supervised, and treatment-focused plan offers the best chance for genuine rehabilitation and, therefore, the best protection for the community. I urge the Court and the prosecution to consider this path. Respectfully submitted,

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/s/ **THURMAN MALIK ROBINSON** Family Representative / Uncle of Defendant 15634 Wallisville Rd, STE 800-170, Houston, TX 77049 [thurmanrobin@aol.com](mailto:thurmanrobin@aol.com) 323-545-8969

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**Page 36 of 115 NEGOTIATION BRIEF AND PLEA PATHWAY**

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**People v. Wade, Khamir Nicholas – Case No. 25CMCF0058501 – Dept. D** (Penal Code § 1192.5)

**TO:** Los Angeles County District Attorney – Compton Branch **FROM:** Khamir Nicholas Wade, Defendant, Pro Se **DATE:** October 7, 2025 **RE: People v. Wade, Khamir Nicholas, Case No. 25CMCF0058501**

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## **I. Introduction**

This brief is submitted to facilitate a pre-trial resolution that acknowledges the serious nature of the charges while accounting for significant evidentiary weaknesses in the prosecution's case and the profound mental health mitigation present. A disposition focused on accountability and long-term, supervised treatment is in the interest of justice and public safety.

## II. Evidentiary Weaknesses Matrix

Evidentiary Area Weakness / Challenge for Prosecution	Legal Authority
<b>Eyewitness ID</b> Single witness; cross-racial identification; poor lighting conditions; 188; <i>People v. Cunningham</i> , suggestive pretrial procedure. 25 Cal.4th 926	<i>Neil v. Biggers</i> , 409 U.S. highstress,

<b>Co-Defendant</b> Statements are self-serving; strong incentive <i>Bruton v. U.S.</i> , 391 U.S. 123; to shift blame; potential for antagonistic <i>People v. Massie</i> , 66 Credibility Cal.2d	
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	between subsets; expert opinion rests on inadmissible casespecific hearsay. nt.
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	Legal Authority
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defenses requiring severance.	899
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Evidentiary Area Weakness / Challenge for Prosecution	Firearm	
<b>CSLI Data</b> Warrantless acquisition of historical location data is presumptively unconstitutional.	<b>Evidence</b>	Contested chain of custody and forensic evidence (fingerprints, linking the weapon to the defendant)
<b>Gang</b>		
Inability to prove organizational link		
<b>Enhancement</b>		

*Carpenter v. U.S.*, 138 S.Ct.  
2206

**Matrix People v. Catlin,**  
26 Cal.4th

*People v. Prunty*, 62 Cal.4th

81

### **III. Proposed Disposition**

A negotiated plea serves the interests of all parties by providing certainty of outcome and conserving judicial resources, while imposing a significant sentence and strict, long-term supervision.

Component	Proposal	Rationale
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**Plea**           **Voluntary Manslaughter (Penal**

**Code § 192(a))**           Acknowledges an unlawful killing but accounts for diminished actuality due to severe mental illness negating malice aforethought.

**Sentence**           Mid-term of **6 years** in state prison. A substantial prison term that reflects

59; *People v. Sanchez*, 63 Cal.4th 665

**Enhancements Dismissal** of all gang (PC §           Based on significant proof issues  
186.22) and firearm (PC §           (*Prunty, Sanchez, Catlin*) and in  
12022.53) enhancements.           the interest of justice (PC § 1385).  
the gravity of the offense.

Component	Proposal	Rationale
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**Post-Release** A period of mandatory parole with           Ensures long-term public safety  
strict supervision, including through structured treatment and  
compliance with the Re-Entry Plan monitoring. detailed in the  
Mitigation Letter.

### **IV. Public-Safety Rationale**

The proposed disposition holds Defendant accountable with a significant prison sentence while also addressing the underlying causes of his behavior through a court-enforced treatment plan upon release. This dual approach offers greater long-term public safety than

a life sentence without meaningful rehabilitation. This resolution is consistent with the discretion afforded to the court and prosecution under Penal Code §§ 1192.5 and 1385.

We request a conference to discuss this proposal at your earliest convenience.

Respectfully submitted,

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/s/ **Khamir Nicholas Wade** Khamir Nicholas Wade Defendant, Pro Se

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**Page 37 of 115 CERTIFICATE OF TRUST AND ADA ACCOMMODATIONS NOTE**

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**People v. Wade, Khamir Nicholas – Case No. 25CMCF0058501 – Dept. D**

CERTIFICATE OF TRUST: APPS NONPROFIT CORPORATION TRUST (*Summary  
Page for Court Reference*)

This document serves to certify the existence and authority of the APPS Nonprofit Corporation Trust, relevant to establishing a structured support and administrative system for Defendant Khamir Nicholas Wade, should a supervised release or alternative sentencing plan be considered by the Court.

**Trust Name:** APPS Nonprofit Corporation Trust **Date of Formation:** [Insert Date]

**Jurisdiction of Formation:** [Insert State] **Trustee(s):** Thurman Malik Robinson  
**Beneficiary**

**(for purposes of this matter):** The support, education, and rehabilitation of Khamir

Nicholas Wade.

**Powers of Trustee Relevant to Mitigation Plan:** The Trustee, Thurman Malik Robinson, has the authority under the terms of the trust to: 1. Manage and disburse funds for the benefit of the beneficiary. 2. Secure and pay for housing, educational programs, and therapeutic services. 3. Enter into contracts with service providers (e.g., therapists, vocational schools). 4. Provide verified reports of expenditures and activities to the Court or any supervising agency as required.

**Purpose:** The inclusion of this certificate is to demonstrate to the Court that a formal, legally sound financial and administrative structure is in place to support the Re-Entry and Rehabilitation Plan proposed in the Confidential Mitigation Letter. It ensures that funds are dedicated and managed for the express purpose of Mr. Wade's rehabilitation and compliance with any court orders.

This certificate is signed under penalty of perjury.

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/s/ **THURMAN MALIK ROBINSON** Trustee 15634 Wallisville Rd, STE 800-170,  
Houston,

TX 77049 [thurmanrobin@aol.com](mailto:thurmanrobin@aol.com) 323-545-8969

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#### **ADA ACCOMMODATIONS NOTE**

Defendant, Khamir Nicholas Wade, has a documented medical condition requiring the use of a nebulizer for asthma. He may require accommodations to ensure access to his medication and medical device during court proceedings or while in custody. Furthermore, due to diagnosed Complex PTSD and associated anxiety, Defendant may experience difficulty processing lengthy or complex verbal information and may request clarification or short breaks to ensure his full comprehension and participation in the proceedings, consistent with the protections of the Americans with Disabilities Act (ADA).

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**Page 38 of 115** MASTER EXHIBIT INDEX

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**People v. Wade, Khamir Nicholas – Case No. 25CMCF0058501 – Dept. D** People v.

Wade, Khamir Nicholas Case No.: 25CMCF0058501

**EXHIBIT A:** Preliminary Hearing Transcript Excerpts (Referenced in PC § 995 Motion)

**EXHIBIT B:** Search Warrant No. [Insert Number] and Supporting Affidavit (Referenced in PC § 1538.5 Motion) **EXHIBIT C:** Property Report and Chain of Custody Log for Seized Items (Referenced in PC § 1538.5 Motion) **EXHIBIT D:** CSLI Data Returns from [Insert Carrier] (Referenced in PC § 1538.5 Motion) **EXHIBIT E:** Discovery Request Letter to DA dated [Insert Date] (Referenced in PC § 1054 Motion) **EXHIBIT F:** Gang Packet Disclosures (Referenced in PC § 186.22 Motion) **EXHIBIT G:** [To be assigned] **EXHIBIT H:** [To be assigned]

*(This index will be supplemented as discovery is received and additional exhibits are identified.)*

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**Page 39 of 115** MASTER PROOF OF SERVICE (PACKET)

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**People v. Wade, Khamir Nicholas – Case No. 25CMCF0058501 – Dept. D** People v.

Wade, Khamir Nicholas Case No.: 25CMCF0058501 Dept: D – Los Angeles County

Superior Court, Compton Courthouse

**PROOF OF SERVICE BY MAIL (Cal. Code Civ. Proc. § 1013a)**

I, the undersigned, declare:

1. **Identity of Declarant** I am over the age of 18 years and not a party to this action. I am competent to testify to the matters set forth herein. My mailing address is: 15634 Wallisville Rd, STE 800-170, Houston, TX 77049.

**2. Documents Served** On October 7, 2025, I served a complete defense packet containing true and correct copies of the following documents:

1. Motion to Determine Competency (Penal Code § 1368)
2. Notice of Plea: Not Guilty and Not Guilty by Reason of Insanity (Penal Code § 1026)
3. Motion to Dismiss After Preliminary Hearing (Penal Code § 995)
4. Motion to Suppress Evidence (Penal Code § 1538.5)
5. *Pitchess* Motion (Evidence Code §§ 1043–1045)
6. Motion to Compel Discovery and for Sanctions (*Brady*; Penal Code § 1054)
7. Motion to Dismiss or Strike Enhancements (Penal Code § 1385)
8. Motions in Limine
9. Motion to Sever (Penal Code § 1098)
10. Motion to Strike Gang Enhancement (Penal Code § 186.22)
11. Motion to Bifurcate Trial on Prior Convictions
12. Motion for Change of Venue (Penal Code § 1033)
13. Motion for Appointment of Ancillary Defense Experts (Evidence Code § 730)
14. Motion to Exclude Coerced or Unreliable Statements (Evidence Code § 402)
15. Motion to Seal Records (Cal. Rules of Court, Rule 2.550)
16. Proposed Orders corresponding to each motion
17. Confidential Mitigation Letter (marked: “Confidential – Not for Public Disclosure”)
18. Master Table of Contents and Master Exhibit Index

**3. Recipients of Service** I served the above-referenced packet by placing true and correct copies in sealed envelopes, with first-class postage fully prepaid, addressed as follows:

**Los Angeles County District Attorney – Compton Branch** 200 W. Compton Blvd.  
Compton, CA 90220

**Los Angeles County Public Defender – Compton Office** 200 W. Compton Blvd.  
Compton, CA 90220

4. **Method of Service** I deposited the sealed envelopes with the United States Postal Service. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on October 7, 2025, at Houston, Texas.



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[SIGNATURE OF DECLARANT]

[PRINTED NAME OF DECLARANT]

Khamir Wade

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