

IN THE CIRCUIT COURT OF BENTON COUNTY, ARKANSAS  
DIVISION II

STATE OF ARKANSAS

PLAINTIFF

v.

NO. CR 2016-370-2

JAMES ANDREW BATES

DEFENDANT

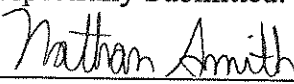
MOTION TO NOLLE PROSEQUI FOR GOOD CAUSE

Comes now, on this 29<sup>th</sup> day of November, 2017, the State, by and through Nathan Smith, Prosecuting Attorney, for its motion to nolle prosequi all charges in the above-referenced case, states good cause as follows:

1. That the State has examined new information provided by the Defendant and completed its own re-examination of the facts and the evidence in this case.
2. That as part of its review, the State has consulted with the victim's wife, law enforcement, and multiple expert witnesses.
3. That in order to prosecute this case, the law requires that the State present evidence that incriminates the accused beyond a reasonable doubt and eliminates any other reasonable explanation.
4. That since the current state of the evidence cannot eliminate other reasonable explanations, the State is legally obligated to not pursue the case at this time.

Therefore, the State requests that this court grant its motion to nolle prosequi this case for good cause.

Respectfully Submitted:

  
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Nathan Smith  
Prosecuting Attorney