

CARMEN ORTIZ BLOWS OFF DZHOKHAR TSARNEAV'S REQUEST ON HIS OWN INVOLVEMENT IN WALTHAM

As AP reported, the government reported in motion opposing his discovery requests that Ibragim Todashev told them his brother participated in the 2011 Waltham triple murder.

In any event, the government has already disclosed to Tsarnaev that, according to Todashev, Tamerlan Tsarnaev participated in the Waltham triple homicide. Any benefit to Tsarnaev of knowing more about the precise "nature and extent" of his brother's involvement does not outweigh the potential harm of exposing details of an ongoing investigation into an extremely serious crime, especially at this stage of the proceedings.

But the motion doesn't address the full extent of Dzhokhar's request, which asked for,

All documents concerning the investigation of the triple homicide in Waltham, MA on September 10-11, 2011, including without limitation documents concerning the alleged involvement of Tamerlan Tsarnaev, Ibragim Todashev, **and/or our client** in those murders. [my emphasis]

I'm not saying the government is wrong on the law in this case, and I do wonder whether they didn't address this because they suspect Dzhokhar was involved in the murder (which would provide the existence of such information more

protection).

But I do note their response focuses on whether they have information on Tamerlan and/or Ibragim (the latter of which they say would not be discoverable), not on whether they have information on any involvement Dzhokhar might have had in the killings.