



## Judge dismisses charges against Alec Baldwin after defense alleges government misconduct

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Alec Baldwin appears to cry as involuntary manslaughter case is dismissed

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**(CNN)** — The involuntary manslaughter case against actor Alec Baldwin was dismissed in

dramatic fashion on Friday after the judge overseeing the case ruled prosecutors did not properly turn over evidence to the defense.

Baldwin's attorneys had filed a motion to dismiss the case, arguing state investigators did not properly share with the defense that a man had delivered a box of ammunition purportedly connected to the case to investigators.

Judge Mary Marlowe Sommer sent the jury home for the day and heard several hours of testimony about the alleged issue. At about 4 p.m. local time, she sided with the defense and dismissed the case with prejudice, meaning it cannot be brought again.

"There is no way for the court to right this wrong," she said.

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Baldwin could be seen crying as the decision was announced, and he immediately hugged his wife Hilaria as court was excused for the day.

The decision came after a chaotic hearing Friday just a few days into Baldwin's involuntary manslaughter trial related to the [fatal shooting](#) of cinematographer Halyna Hutchins on October 21, 2021, on the New Mexico set of the Western film "Rust." Baldwin had pleaded not guilty and could have faced up to 18 months in prison.



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Baldwin was practicing a "cross draw" – pulling a gun from a holster on the opposite side of his body from his draw hand – with a prop gun when it fired a live round, killing Hutchins and injuring director Joel Souza.

The shocking death was the first of its kind since the 1993 death of [actor Brandon Lee](#), the son of martial arts icon Bruce Lee, who was killed in the filming of "The Crow" when his co-star fired a prop gun containing a fragment of a bullet.

This is the third criminal case related to the on-set shooting. In March, Hannah Gutierrez Reed, the armorer for "Rust," was [found guilty of involuntary manslaughter](#) and sentenced to 18 months in prison.

"The judge found intentional misconduct and we also have had the same failures in Hannah's case by the State," her attorney, Jason Bowles, told CNN after Baldwin's case was dismissed.

case, by the state, her attorney Jason Dowries told CNN after Baldwin's case was dismissed.

"We will be moving for dismissal of Hannah's case."

Dave Halls, the assistant director, agreed to plead no contest to negligent use of a deadly weapon, the district attorney for New Mexico's First Judicial District said. The terms of the deal included six months of probation and a suspended sentence, prosecutors said.

## How the case unraveled



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'He was an actor, acting': Hear the opening statements from Alec Baldwin's 'Rust' shooting trial

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Testimony was halted by the judge Friday, who sent the jury home for the day as she considered a motion by the actor's legal team to have the case thrown out based on allegations prosecutors did not properly turn over evidence.

In court a day earlier, a crime scene technician testified that a man had delivered some ammunition to the Santa Fe County Sheriff's Office in March after the conviction of "Rust" armorer Hannah Gutierrez Reed. The man, Troy Teske, a retired police officer and friend of the armorer's father, told investigators he believed the ammunition could be associated with the "Rust" incident, crime scene technician Marissa Poppell testified.

However, the technician testified the items were catalogued separately from Baldwin's case

and were not included in the “Rust” case inventory or tested to see if they matched the lethal round.

Baldwin’s team argued prosecutors did not properly disclose this evidence to the defense and asked for the case to be dismissed.

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In response, prosecutor Kari Morrissey said investigators determined the ammunition was not a match to those found on the “Rust” set and had no evidentiary value to the case. “This is a wild goose chase,” Morrissey argued.

In a “very unusual” development, Judge Mary Marlowe Sommer asked for Poppell to be called back to the stand to discuss the rounds outside the presence of the jury.

The witness, judge, and attorneys all donned blue gloves and gathered around a table in the center of the courtroom, where the envelope holding the rounds was unsealed and examined by the judge to determine whether it matches the rounds recovered from the film set. The courtroom was silent and thick with tension as the judge compared the rounds.

The judge ordered additional witnesses to testify before she rendered a ruling on Baldwin’s motion to dismiss the case.

The case has been marked by years-long fits and starts with turnovers in prosecutors, a prosecution stalled by questions surrounding the integrity of evidence and a steady spate of motions from Baldwin’s team attempting to get the charge thrown out.

At opening statements Wednesday, prosecutors alleged Baldwin was reckless with firearms on set and violated the “cardinal rules of firearm safety” with his actions.

“He pointed the gun at another human being, cocked the hammer and pulled that trigger, in reckless disregard for Ms. Hutchins’ safety,” prosecutor Erlinda Johnson said.

However, the defense blamed the film’s armorer and the first assistant director – jointly in charge of firearm safety on set – for allowing a real bullet to be loaded into the prop gun and failing to make it safe before it reached Baldwin.

“This was an unspeakable tragedy, but Alec Baldwin committed no crime. He was an actor, acting, playing the role of Harlan Rust,” attorney Alex Spiro said. “These ‘cardinal rules’ are not cardinal rules on a movie set.”

cardinal rules on a movie set.

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