**3.20 Untimely Disclosure of Exculpatory or Impeachment Evidence**

 A trial court has discretion in shaping the remedies for violations of *Brady v. Maryland*, 373 U.S. 83 (1963), and *Giglio v. United States*, 405 U.S. 150 (1972). For example, in *United States v. Garrison*, 888 F.3d 1057, 1061 (9th Cir. 2018), “the government made grave mistakes in its prosecution of the case by repeatedly failing to timely disclose information to the defense.” Rather than dismiss the case, the district court instructed the jury that “the government's failure to timely comply with its constitutional obligations . . . could lead the jury to find reasonable doubt” as to guilt. The Ninth Circuit held that there was no error. *Id*. at 1066.

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