

NO. _____

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| THE STATE OF TEXAS |) | IN THE 366th JUDICIAL |
| |) | |
| |) | DISTRICT COURT |
| VS. |) | |
| |) | OF COLLIN COUNTY, |
| _____ |) | TEXAS |

DISCOVERY ORDER

State is Ordered to Furnish:

1. List of all anticipated trial witnesses, to be provided at the time of voir dire.
2. All written or recorded statements of the defendant, along with all confessions or statements, whether verbal or otherwise, made pursuant to Art. 38.22 C.C.P.
3. Inspection of:
 - (A) All items seized from the defendant;
 - (B) All items seized from any co-defendant or accomplice;
 - (C) All physical Objects to be introduced as part of the State’s case;
 - (D) All Documents and photographs and investigative charts or diagrams to be introduced at trial;
 - (E) All contraband, weapons implements of criminal activity seized or acquired by the State or its agents in the investigation of the alleged offense;
 - (F) All records of conviction which may be admissible in evidence or used for impeachment of the defendant;
 - (G) All tangible items of physical evidence collected by the State or its agents concerning the alleged offense, to include latent fingerprints, footprints, hair, fibers, fingernail scrapings, body fluids, tire tracks, paint scrapings, etc.;
4. All promises of benefit or leniency afforded to any accomplice or prospective witness in connection with his proposed testimony or other cooperation with regard to the alleged offense;
5. All known convictions which are admissible for impeachment concerning any other the State’s proposed witnesses;
6. All known convictions, pending charges or suspected criminal offenses concerning any accomplice proposed to be used as a witness by the State;
7. Copies of all complaints search warrants (related affidavits), autopsy reports and laboratory reports of all examinations of contraband, fluids hairs, fingerprints, blood samples, ballistics soil,

fibers and paints;

8. Inspection of all business records or governmental records expected to be introduced by the State;

9. All exculpatory evidence pursuant to Code of Criminal Procedure, Brady v. Maryland and related cases;

10. It is to be understood that the State will furnish all of such above items which are in possession of the State's attorneys or which are known to be in the possession of the investigating officers or other agents of the State;

11. In appropriate cases, the State is encouraged to furnish offense reports and witness statements in addition to the above items. However, such reports and statements are normally work product of the State and are therefore protected from mandatory disclosure unless the contents are exculpatory. Such statements and reports must, of course, be tendered to the Defense for cross-examination on proper request under Gaskin or related requirements;

12. In the event that photographs, diagrams or models are prepared as "jury aids" at the direction of the State's attorneys before trial, such items will be considered work product unless the Defense demonstrates a "particularized need" for inspection thereof;

13. This Order will dispose of all pretrial discovery motions heretofore filed. Because of the extensive nature of the discovery herein ordered, it will be considered that such Order is acceptable to the Defense pending the review of evidence and documents as ordered. In the event that further particularized discovery is considered necessary, the Defense will thereafter file a written Motion for Discovery, addressing only matters not covered in this Order, and such Motion will be presented to the Court at the earliest practical opportunity before trial.

The State is ordered to furnish the above inspection and copying on or before _____. It is understood that the Defense should exercise reasonable diligence to contact the State's attorney and arrange a mutually convenient time for the appointment.

The State is ordered to prepare a list of exhibits or furnished items to be filed amongst the papers of this cause within seven (7) days after discovery is completed.

ORDERED AND entered this _____ day of _____, 200__.

GREG BREWER, JUDGE
366th JUDICIAL DISTRICT COURT
COLLIN COUNTY, TEXAS