

NO. _____

STATE OF TEXAS

) (

IN THE DISTRICT COURT

vs.

) (

HARRIS COUNTY, TEXAS

) (

177TH JUDICIAL DISTRICT

DISCOVERY ORDER

THE STATE IS ORDERED:

1. To file with the Clerk of the Court a subpoena list of all witnesses the State intends to call on their case-in-chief at least ten (10) days prior to trial.

2. To furnish 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., including all portions of offense reports containing a verbatim account of same at least twenty (20) days before the proceeding in which the statement is to be introduced.

3. To permit inspection of:
 - a. All items seized from the defendant.
 - b. All items seized from any accomplice or co-defendant.
 - c. All physical objects to be introduced as part of the State's case-in-chief.
 - 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; a separate order to inspect these items may be required by law enforcement agencies and should be presented to the Court in a timely manner.

- f. All tangible items of physical evidence collected by the State or its agents concerning the alleged offense; to include latent fingerprints, hairs, fibers, fingernail scrapings, body fluids, tire tracks, paint scrapings, etc.
 - g. All psychiatric reports concerning the defendant, known to the State.
 - h. All business reports or governmental records expected to be introduced by the State.
 - i. All videos and/or tape recordings which contain the defendant or his voice.
 - j. Any and all lab reports; including, but not limited to autopsy reports.
4. To give notice of all records of conviction which may be admissible in evidence or used for impeachment of the defendant, pursuant to Rule 609, Tx. Rules of Evidence.
 5. To give notice of all extraneous offenses, with date, time and place which may be admissible against the defendant in the State's case-in-chief.
 6. To inform the Defense of all promises of benefit or leniency afforded to any accomplice or prospective witness in connection with his or her proposed testimony or other cooperation with regard to the alleged offense.
 7. To inform the Defense of all known convictions which are admissible for impeachment concerning any of the State's proposed witnesses.
 8. To inform the Defense of all known convictions, pending charges or suspected offenses concerning any accomplice proposed to be used as a witness by the State.
 9. To furnish copies of any search warrants and related affidavits.
 10. To provide Defense with any and all exculpatory evidence pursuant to Brady v Maryland and related cases.

State will furnish all of such above items which are in the possession of the State's attorneys or which are known to or with the exercise of due diligence should be in possession of the investigating officers or other agents of the State.

In appropriate cases, the State is encouraged to furnish offense reports and witness statement 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 of proper request under GASKIN or related requirements.

The ORDER will dispose of all pre-trial discovery and specified request 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 review of the 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 for inspection or copying on or before ten (10) days prior to trial or any agreed upon date; that agreed date of compliance to be noted on this form and signed by State's attorney and Defense attorney. 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.

ORDER AND ENTERED this ____ day of _____, 20 __.

Judge Presiding

177th Judicial District

Harris County, TX

Compliance date: _____

State _____

Defense _____