

Any and all statements, confessions, or admissions made by the Defendant, whether written or oral, subsequently reduced to writing, or summarized in officers' reports or copies thereof, including the rough notes of such officers.

2.

The substance of any oral statement made by the Defendant which the State intends to offer into evidence at trial, whether before or after arrest in response to interrogation by any person then known to the Defendant to be a State agent.

3.

With regard to the information requested in paragraphs 1 and 2, the name, title and address of the individual to whom said statement was made, the date, location and time that the statement was made, and the name and address of any other individual present at the time the statement was made.

4.

Any statement by the Defendant which was tape-recorded. Also requested are exact copies of such tape-recordings, documents authorizing the interception of said conversation, and the date the recording was made, and the identity of all persons whose voices were recorded.

5.

Any oral statements made by the Defendant to, or overheard by, a law enforcement officer or other agent of the State which was the subject of a verbatim or summarized report or written memorandum by the officer or agent.

6.

The GBI and Federal Bureau of Investigation arrest report of each State witness, to be produced prior to the time of trial.

7.

The criminal record of this Defendant, including, but not limited to, F.B.I., state or local arrest records of the Defendant. O.C.G.A. § 17-6-4(a)(2).

8.

Any and all videotaped events or photographs allegedly depicting the Defendant in connection with this case.

9.

Any and all evidence of transactions or conduct of the Defendant which are not the subject matter of this Accusation, but which the State might offer as evidence on the question of intent, motive, opportunity, preparation, plan, knowledge, identity, absence of mistake or accident, or like legal ground.

10.

The names, addresses, current telephone numbers, and criminal records of all persons expected to testify for the State at trial.

11.

Any and all evidence or information which may be used to impeach any State witness or which may lead to evidence which might be used to impeach any State witness.

12.

Any and all statements of any potential State witnesses which may be inconsistent, in whole or in part, with any of the statements made by the same individual; and any statements made by potential State witnesses which are

inconsistent, in whole or in part, with any statements made by other individuals who have given statements relevant to the charges against this Defendant.

13.

As to all persons who will testify for the State in its case-in-chief or in rebuttal, or whose testimony has been used before the Grand Jury to obtain the present indictment, or whose sworn testimony or statements will be used in this trial, although the witness will not testify, the following specific and detailed information is requested: The existence and substance, the manner of execution or fulfillment, or any promises, agreements, understandings and arrangements, either verbal or written, between the State and any prosecution witness, or his or her attorney or representative, wherein the State, either federal or state, has agreed, either expressly or impliedly, as follows:

- (a) Not to prosecute the witness for any crime or crimes;
- (b) Not to prosecute a third party for any crime or crimes;
- (c) To provide a formal grant of immunity, or to provide an informal assurance that the witness will not be prosecuted in connection with any testimony given by him;
- (d) To recommend leniency in sentencing for any crime or crimes for which he is convicted;
- (e) To recommend a particular sentence for any crime or crimes for which he has been convicted;

(f) To provide favorable treatment or consideration, that is, money or like, to the witness himself or to friends or relatives of the witness in return for the witnesses' cooperation and/or testimony;

(g) To make any other recommendation of any benefit, however slight, or to give any other consideration to the witness or friends or relatives of the witness;

(h) Reveal and disclose with particularity any and all agreements or understandings reached between the Government and any state or local political entity or investigative body in this case.

14.

The names and addresses of all persons given a promise of immunity by the State, whether formal or informal, in connection with the State's criminal investigation of this case and the dates thereof, irrespective of whether such person will be a witness for the State or not.

15.

Any and all tangible items obtained from the Defendant.

16.

Any and all items seized as a result of any search of the Defendant or of any property in which he arguably had a reasonable expectation of privacy.

17.

Any and all tangible objects intended to be introduced into evidence by the State.

18.

The identity of any and all informants, including confidential informants, undercover agents, or other secret agents of the United States, or of any state or local government, who participated in the investigation, prosecution, or other aspects of this case.

19.

A list of all disbursements and/or consideration and/or favors given to any one or all informants in this case.

20.

Any and all documents, instruments, forms or statements of any kind signed or purported to have been signed by the Defendant.

21.

Any and all property in the possession of the State or its agents, or seized by the State or its agents, belonging to or alleged by the State to belong to the Defendant.

22.

All results or reports and all notes or other recordation of data or methodology of scientific tests and experiments and examinations arguably relevant to this case, including examinations of any prosecution witnesses, the defendant, fingerprint comparisons, handwriting analyses, laboratory reports, and chemical analyses, including any and all materials covered by O.C.G.A. § 17-7-211. This request seeks such information regardless of whether or not the test results will be used by the State at trial. O.C.G.A. § 17-16-4(a)(3) and (4).

23.

Written reports of any analyses of handwriting prepared by the State or any of its agents or anyone at its direction, together with any descriptions, test results, test dates, and any determinations as to the writer of any document.

24.

Copies of all search warrants and arrest warrants and supporting affidavits.

25.

Pursuant to O.C.G.A. § 17-16-3, a copy of the indictment.

26.

Pursuant to O.C.G.A. §§ 17-16-3 and 17-16-8, a copy of the State's witness list including the current location of each witness, his or her date of birth, social security number, and phone number.

27.

Pursuant to O.C.G.A. § 17-6-7, copies of the statements of all witnesses.

WHEREFORE, Defendant respectfully prays that this Honorable Court enter an Order granting the above-requested discovery, and reserving Defendant's right to supplement and amend this Motion as the disclosure of information provides

further bases for relief.

This 30<sup>th</sup> day of November, 2005.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a true and correct copy of the within and foregoing "MOTION TO DISCLOSE EVIDENCE OR INFORMATION FAVORABLE TO THE DEFENDANT UNDER BRADY V. MARYLAND" upon counsel, by depositing said copy in the United States Mail with adequate postage thereon addressed as follows:

Ms. Sheila Ross  
Assistant District Attorney  
3<sup>rd</sup> Floor  
Fulton County Courthouse  
136 Pryor Street, S.W.  
Atlanta, Georgia 30303

This 30<sup>th</sup> day of November, 2005.

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BRUCE H. MORRIS

\_\_\_\_\_  
MARK J. KADISH