

Tip sheet for the Discovery and Trial Preparation Pre-trial Hearing

The Court will inquire of the State and Defense:

Have all witnesses been listed for the State? Please announce them for the Court.

- | | |
|----------|-----------|
| 1. _____ | 6. _____ |
| 2. _____ | 7. _____ |
| 3. _____ | 8. _____ |
| 4. _____ | 9. _____ |
| 5. _____ | 10. _____ |

Have any witnesses been listed by the Defense?

1. _____
2. _____
3. _____

Is the Co-Defendant a witness? What is the Co-Defendant's case number?

Have you reviewed the Co-Defendant's file? What was the Co-Defendant's disposition?

Are any of the witnesses out of state or county?

Are any of the witnesses in custody?

Have all police reports been provided by the State? Please list the report # and # of pages.

- | | |
|----------|----------|
| 1. _____ | 3. _____ |
| 2. _____ | 4. _____ |

Are there any attachments or supplemental reports? _____

Did any other agency assist in this investigation and have you obtained the reports?

Have all witness statements been provided? Please place on the record the name of the witness who wrote the statement and number of pages.

1. _____
2. _____
3. _____

Is there a 911 call? Who made the call? How long was the call? Does the call constitute an excited utterance or spontaneous statement? Has this been disclosed?

Are there any video recordings in this case?

Body Worn Camera? Which officers/deputies? How long is each? Have you reviewed them?

1. _____
2. _____
3. _____
4. _____

Community Cameras including city or business? Has a custodian been listed?

Cell phone video _____

Video Visitation recordings _____

*Have the state and defense reviewed the recordings for redactions? Yes/No

** Is there a transcript of the audio portions and has is been reviewed for discrepancies? Yes/No

Are there any audio recordings in this case?

Jail calls – Date of Recording,

Controlled calls – Date of recording

*Have the state and defense reviewed the recordings for redactions? Yes/No

** Is there a transcript of the audio portions and has is been reviewed for discrepancies? Yes/No

Photos:

Crime scene photos by technician? #

Detectives?

Photos by civilians? Affirmatively asked.

Cell phone photos?

*Have they been printed and reviewed?

Are there any diagrams of scene? Yes/No

Maps? Yes/No

Drawings of any type? Yes/No

Physical Evidence: Yes/No

Is there DNA? Is there a lab report for the testing of the drugs? Is there a lab witness?

Is there an FDLE analyst? Report and or statistical analysis?

Finger prints attempted? Is there a finger print report? Were witness listed?

Have a clean set of prints been taken for comparison?

Guns/Knives/Weapons – listed, photographed and are they in evidence? Yes/No

SAVE EXAM: Yes/No

Are there CPT reports?

Medical Records?

Are there any judgement and sentences for priors? Yes/No
Fingerprinting for trial? Yes/No

Is there any reciprocal discovery filed with by the defense? Yes/No
If yes, please list in detail.

Are there any offers by the state to resolve or ongoing negotiations? Yes/No

Please provide a completed scoresheet for the Court?
Any Defenses objection to scoresheet by the defense?

Please provide a copy of the current information filed. Are there any amendments contemplated? Yes/No

What are the elements of the crime on which the Jury will be instructed?
(Be prepared to read elements of the crime from instructions)

Are there any special Jury Instructions that either side will request? Yes/No

Depositions:

Who has been deposed?

Have the depositions been transcribed?

Is there anyone still to be depose and on what date is it scheduled?

1. _____
2. _____
3. _____
4. _____
5. _____

Potential Motions:
Motion to Suppress?

Motion to Dismiss?

Will a stand your ground motion be filed?

Will a Williams rule be filed?

Will a child hearsay motion be filed?

The Court expects both sides to prepare for the hearing and know the answers to the question in advance. This should not be an exploratory hearing where the attorney flip through voluminous paperwork to locate answers to obvious questions.

Both sides would benefit from reviewing the material with each other prior to the hearing.

If the Defendant is in custody, have arrangements been made to provide clothes and have them brought over to the jail? Yes/No