

32

IN THE CIRCUIT COURT OF THE  
EIGHTEENTH JUDICIAL CIRCUIT  
IN AND FOR BREVARD COUNTY,  
FLORIDA

STATE OF FLORIDA,  
Plaintiff,

CASE NO. 2012CF035337A

vs.

BRANDON LEE BRADLEY,  
Defendant.

\_\_\_\_\_ /

**MOTION FOR DISCOVERY OF PROSECUTORIAL  
INVESTIGATIONS OF PROSPECTIVE JURORS**

The Defendant, BRANDON LEE BRADLEY through counsel, respectfully moves this Honorable Court to order the prosecuting attorney to make available to the defense any background investigation of prospective jurors that has been performed by the State Attorney's Office, and as grounds therefore would allege as follows:

1. \_\_\_\_\_ is charged by Indictment with first-degree murder.

2. \_\_\_\_\_ has been declared indigent and the Public Defender's Office was appointed to represent him.

3. It is the practice of some State Attorney's Offices to do a background investigation of prospective jurors, including but not limited to criminal histories, through their own investigation and with the assistance of law enforcement.

4. For the defense to duplicate the investigation of the State Attorney's Office and law enforcement in this regard would be both costly and time consuming and would require funds not available to an indigent defendant through the Public Defender's Office.

5. To deny the defense access to jury venire investigation performed by the State Attorney's Office is to give the prosecution an unfair advantage in jury selection which is an all-important aspect of every criminal trial.

6. Denial of access therefore violates the Fifth, Sixth, Eighth and Fourteenth Amendments to the United States Constitution, and Article I, Section 9, 16, 17 and 22 of the Florida Constitution. See *People v. Murtishaw*, 631 P.2d 446 (Cal. 1981).

WHEREFORE, Defendant requests this Court order the prosecuting attorney to make available to the defense any background investigation of prospective jurors that has been performed by the State Attorney or law enforcement.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by e-service to the Office of the State Attorney, Brevard County, Florida, this 8<sup>th</sup> day of November, 2013.



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J. Randall Moore  
Assistant Public Defender  
Florida Bar No. 0357847  
2725 Judge Fran Jamieson Way  
Building E, Second Floor  
Viera, FL 32940  
321-617-7373  
brevardfelony@pd18.net