

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

STATE OF FLORIDA,

CASE NO. 2013-CF-053990-AXXX-XX

Plaintiff,

v.

ROSE HARR,

Defendant.

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FILED IN VERA-24
CLERK OF CIR. CT.
BREVARD CO. FL.

2013 AUG 26 P 2:38

SCOTT ELLIS

**DEFENDANT ROSE HARR'S NOTICE TO
PARTICIPATE IN AND DEMAND FOR DISCOVERY**

COMES NOW the Defendant, ROSE HARR, by and through her undersigned attorney, pursuant to Rule 3.220(a)(1), Florida Rules of Criminal Procedure, and hereby files this written demand that the State Attorney, within fifteen days after this demand, disclose to the undersigned defense counsel, and permit him to inspect, copy, test and photograph, the following information and material within the state's possession or control:

1. The names and addresses of all persons known to the prosecutor to have information which may be relevant to the offense charged, and to any defense with respect thereto.
2. The statement of any person whose name is furnished in compliance with the preceding paragraph. The term "statement" as used herein means a written statement made by said person and signed or otherwise adopted or approved by him or a stenographic, mechanical, electronic or other recording, or a transcript thereof, which was made before a grand jury, or which is a substantially verbatim recital of an oral statement made by said person to an officer or agent of the state and recorded contemporaneously with the making of such oral statement.

3. Any written or recorded statements, and the substance of any oral statements made by the accused and known to the prosecutor, together with the name and address of each witness to the statement.

4. Any written or recorded statement, and the substance of any oral statements made by a co-defendant, if the trial is to be a joint one.

5. Any tangible papers or objects which were obtained from or belonged to the accused, or are alleged to have been in the custody of the accused.

6. Whether the state has any material or information which has been provided by a confidential informant and the name and address of that confidential informant.

7. Whether there has been any electronic surveillance, including wire tapping of the premises of the accused, or of conversations to which the accused was a party, and any documents relating thereto.

8. Whether there has been any search or seizure, and any documents relating thereto.

9. Any tangible papers or objects which the prosecuting attorney intends to use in the hearing or trial, and which were not obtained from or belonged to the accused.

10. A copy of any substantially verbatim recital of oral statements made to any investigative or prosecutorial officers as a result of interviewing persons who have information which may be relevant to the offense charged or any defense thereto.

11. A copy of any reports of investigative or prosecutorial officers which reflect a narration of any investigative steps they may have taken or statements that they may have made, exclusive of statements requested in Paragraph 11 herein.

12. Any reports, contracts or agreements made between any confidential informant

and any law enforcement agency or a division of the State of Florida, including but not limited to the State Attorney for the Eighteenth Circuit of Florida, his assistants, investigators and employees; the Sheriff of Brevard County Florida, his deputies and employees; the Director of the Florida Bureau of Law Enforcement, his agents and employees, and any other department, commission, arm or agency of the government of the State of Florida, its counties and municipalities.

13. Any written or recorded statement or the substance of any oral statement made by any confidential informant.

14. The substance of any material or information that may have been given by any confidential informant which may negate or tend to negate the guilt of the accused.

15. The substance of any promises, threats, rewards, or other benefits which were communicated to any confidential informant which may negate or tend to negate the guilt of the accused.

16. Whether there has been any electronic surveillance of the Defendant, or co-conspirators, and transcripts or any such surveillance and documents related thereto.

17. Any transcripts of tapes or copies of tapes made by any person working on behalf of the state, such as, but not limited to the agents and employees of the Sheriff of Brevard County, Florida, his deputies and employees, the State Attorney for the Eighteenth Judicial Circuit of Florida, his assistants, investigators and employees, and the Director of the Florida Bureau of Law Enforcement, his agents and employees.

18. Whether there has been any search or seizure; the time, date and place of such search or seizure; any written narration of such event; and, copies of documents relevant thereto.

19. Reports or statements of any experts made during the investigative or prosecutorial states of this cause, whether relevant to the offense, or a defense thereto, and the names and addresses of all experts involved in the relative examinations or tests.

20. Any tangible papers or objects which the prosecuting attorney intends to use in any hearing or trial, or which may be relevant to the offense charged, or defense thereto.

21. Any prior criminal record of Defendant, co-conspirator, confidential informant, or witness in actual or constructive possession of the prosecution.

22. The substance of any plea bargaining or plea arrangement made between any potential co-conspirator, confidential informant, or witness and the prosecution of any other agency.


23. Any material information with the State's possession or control which tends to negate the guilt of the accused.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via U.S. Mail to the Office of the State Attorney, 2725 Judge Fran Jamieson Way, Building D, Viera, Florida 32940, this 21st day of August, 2013.

LAW OFFICES OF MARK L. HORWITZ
A Professional Association

By: _____


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