

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

STATE OF FLORIDA,
Plaintiff,

CASE NO. 052012CF035337AXXX

vs.

BRANDON LEE BRADLEY,
Defendant.

MOTION FOR FINGERPRINTS AND REQUEST FOR JUDICIAL NOTICE

COMES NOW the State of Florida, by and through the undersigned Assistant State Attorney, brings this motion to obtain the fingerprints exemplars of the defendant pursuant to Fla.R.Crim.P. 3.220(c)(1)(C), and a request for judicial notice of these fingerprints exemplars obtained from the defendant in open court pursuant to Sections 90.202(11),(12) and 90.203 Florida Statutes, and avers:

1. The Defendant in this cause has been charged by Information with the crime(s) of FIRST DEGREE PREMEDITATED MURDER WITH FIREARM (CF) and ROBBERY (F2) and FLEEING OR ATTEMPTING TO ELUDE - HIGH SPEED OR WANTON DISREGARD (F2) and RESISTING AN OFFICER WITH VIOLENCE (F3).
2. The State requests a set of fingerprint exemplars of the defendant taken from the Defendant in open court for use by an expert for comparison to the latent fingerprints recovered from a crime scene in this case.
3. The State requests that the Court take judicial notice of the fingerprint exemplars obtained from the defendant in open court because this would be a fact that would not be subject to dispute by the parties based on the manner in which they were obtained which the State would request as follows:
 - a. A court deputy (or another law enforcement official) would fingerprint the defendant in open court in the presence of the parties' attorneys and the Court.

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- b. A photocopy of the card would then be made and this copy would be attached to the court order taking judicial notice of the prints and placed in the court file.
4. Should the print card be offered in evidence at trial, the State would request that the Court provide the following instruction to the jury at the time of receipt in evidence: "Exhibit __ has been received in evidence and represents the known fingerprints of the defendant, BRANDON LEE BRADLEY, obtained in open court on __."

WHEREFORE the State requests this Court order the defendant to provide a set of his fingerprints in open court and that the Court take judicial notice of the print card after the prints have been obtained from the defendant.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by E-MAIL to OFFICE OF THE PUBLIC DEFENDER - FELONY, Attorney for Defendant, at BREVARDFELONY@PD18.NET this 18th day of November, 2013.

PHIL ARCHER
STATE ATTORNEY

BY: 

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