**STATE OF ILLINOIS**

**IN THE CIRCUIT COURT OF THE 18TH JUDICIAL CIRCUIT**

**COUNTY OF DU PAGE**

PEOPLE OF THE STATE OF ILLINOIS )

PLAINTIFF, )

) CRIMINAL NO.

VS )

)

)

DEFENDANT. )

**MOTION FOR DISCOVERY BEFORE TRIAL**

NOW COMES the Defendant, , by his/her attorney, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ , and moves this Honorable Court for an order directing the People of the State of Illinois to disclose and produce evidence relevant to the case at bar which is now in the possession or control of the People, and others, and all evidence which may at a future date come into the possession or control of the People, wherein such evidence may be favorable to the defendant and material to the issue of guilt or innocence or tend to reduce the punishment which may be imposed or could in any way affect any evidence proposed to be introduced against the defendant. The defendant moves that such disclosure and production include, but not be limited to, the following:

1. The names and last known addresses of persons whom the State intends to call as witnesses at a hearing or trial.

2. All relevant written or recorded statements of persons who the State intends to call as witnesses at a hearing or trial, including police reports wherein memoranda containing substantial verbatim reports of their oral statements and a list of memorandum reporting, or summarizing, their oral statements.

3. All memoranda reporting or summarizing oral statements, all notes taken by the State's Attorney's Office or its agents reflecting verbatim or substantially verbatim statements by any witness.

4. All written or recorded statements and the substance of any oral statements made by the accused or by a co-defendant, and a list of witnesses to the making and acknowledgment of such statements.

5. A transcript of those portions of grand jury minutes containing testimony of the accused and relevant testimony of persons whom the prosecuting attorney intends to call as witness at a hearing or trial.

6. All reports or statements of experts made in connection with the particular case, including results of physical or mental examinations and of scientific tests, experiments, or comparisons and a statement of qualifications of the expert.

7. All books, papers, documents, photographs or tangible objects, which the prosecuting attorney intends to use in the hearing or trial or which were obtained from or belong to the accused.

8. All reports of prior criminal convictions and juvenile adjudications, which may be used in impeachment of persons whom the State intends to call as witnesses at the hearing or trial as well as any information regarding any pending charges or pending juvenile matters involving any such witnesses which may be used for purposes of cross examination at said hearing or trial.

9. To inform defendant's counsel if there has been any electronic surveillance (including wire tapping) of conversations to which the accused was a party.

10. All material or information within the possession or control of the State which tends to negate the guilt of the accused as to the offense charged or would tend to reduce his punishment thereof.

11. Production of all police reports pertaining to this case.

12. Disclosure of the date of the occurrence, if other than specified in the indictment, the place of the alleged occurrence, and the time of said occurrence, as nearly as can be determined.

13. A list of names and addresses of any persons having knowledge of the offense.

14. A list of names and addresses of any persons who would be favorable to the accused.

15. A list of witnesses who were present at the scene of the defendant's arrest.

16. Disclosure as to whether the defendant was viewed by the complaining witness or other potential witnesses for identification purposes.

17. The time, date, and place of such viewing, and the persons present at such viewing.

18. Disclosure as to whether the defendant was identified at such viewing, and the party or parties making the identification.

19. A copy of any warrant and affidavit used to obtain evidence pertaining to this case.

20. An indication whether or not prior convictions will be used to impeach the defendant should he choose to testify.

21. Any written or recorded statements and/or memoranda containing substantially verbatim reports of oral statements and memoranda reporting or summarizing oral statements obtained by the State or its agents of defense witnesses.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Defendant

By\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

, His Attorney