

IN THE CIRCUIT COURT OF MOBILE COUNTY, ALABAMA

STATE OF ALABAMA,

*

VS.

*

DEFENDANT.

*

ORDER

It is hereby ORDERED,

1. The District Attorney shall produce or make available to the Defendant's attorney at arraignment the following:

- (a) A copy of the indictment against the Defendant;
- (b) All statements of the Defendant which are reduced to writing;
- (c) All statements of the Defendant which are electronically recorded or taped, and any transcripts hereof;
- (d) The substance of any oral statements made by the Defendant which are not included within (b) and (c) hereof or if the District Attorney knows of any statements or spontaneous remarks made while the Defendant is in the custody of the police or during the investigation;
- (e) Any and all evidence tending to exculpate the guilt of the Defendant;
- (f) The results of any scientific or expert tests, experiments, or examinations to be used by the Prosecution at trial;
- (g) All physical evidence or documentary evidence which the Prosecution will offer into evidence in its case in chief, including any search warrant and search affidavits upon which the Prosecution will rely on in its case in chief;
- (h) All physical evidence or documentary evidence seized from the Defendant by law enforcement officers, whether or not the same will be offered into evidence at trial;
- (i) In prosecutions under the Alabama Uniform Controlled Substances Act, the Defendant may procure the examination and testing of controlled substances or other prosecution evidence by his own expert, upon request to the District Attorney or his assistants. Such

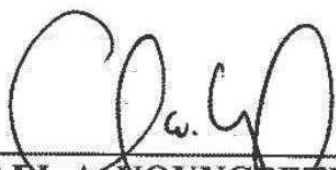
examination and testing shall only take place in the presence of the District Attorney or his authorized representative, and the same shall be done at the Defendant's expense;

- (j) The name and last known address of all confidential government informants who are eyewitnesses to the commission of the crime charged in the indictment, if the Defendant does not already have such information.
 - (k) Any video or audio recordings received from the District Attorney's Office may be reviewed with the Defendant, but may not be duplicated or published to any third party by the District Attorney's Office, the Defendant or Defense Counsel, absent specific authorization from the Court.
2. In all instances where physical or documentary evidence, tape recordings, and the like are to be inspected, examined or copied by the Defense Counsel, the parties shall ensure that such procedures are used as will safeguard and maintain the integrity of said evidence.
 3. The District Attorney is under an obligation to disclose to Defense Counsel any evidence subject to this Order which he subsequently discovers to exist, and to do so within a reasonable time after its existence is discovered.
 4. The District Attorney shall disclose to the Defendant and his attorney any prior convictions of the Defendant of which the District Attorney is aware.
 5. Any disagreements with the parties concerning the scope, identify or existence of discoverable matter are to be submitted to the Court for resolution upon written motion of either party a reasonable time before trial. Any party who does not so submit any unresolved discovery issue to the Court will be precluded from raising the same at trial. If the Court finds that either party has failed to use good faith in complying with this Order, the Court may, in the case of the State, bar the State from using at trial any non-disclosed matter, and the Court may, in the case of the Defendant, hold any objections to the State's use of said matter at trial, based upon prior non-disclosure, to be waived.
 6. If the prosecutor elects to make an offer of recommendation, the offer is to be made as soon as possible after arraignment unless special circumstances exist

(e.g., mental evaluation necessary, youthful offender report necessary, etc.) which inhibit a meaningful offer.

7. A conference shall be held with the District Attorney, the Defendant's attorney and the Defendant before the Status Hearing to be scheduled by the Court at arraignment.
8. At said conference:
 - a. The District Attorney shall generally outline the evidence which she expects to produce at the trial; provided, however, that this requirement shall not apply to evidence used for impeachment purposes;
 - b. The District Attorney shall advise the Defendant of all pending charges against the Defendant known to the State;
 - c. Unless otherwise ordered, the Defendant shall have until the Status Hearing within which to accept or reject any recommendation of the State. No sentencing recommendation shall be entertained by the Court after the Status Hearing.
9. A strike list shall be compiled for any trial by jury and a copy of the strike list shall be given to each party. Upon selection of the jury, the strike list shall be made part of the Court record. Neither the Defendant or Victim shall retain a copy of the strike list and each counsel shall collect the extra copies of the list and submit them to the Court. No counsel or their client shall duplicate or publish to any third party the strike list absent specific authorization from the Court.

DONE at Mobile, Alabama this the 17TH day of SEPTEMBER 2021.



MICHAEL A. YOUNGRETER
PRESIDING CIRCUIT COURT JUDGE