

STATE OF LOUISIANA * PARISH OF JACKSON * 2ND DISTRICT COURT

STATE OF LOUISIANA

FILED: November 28, 2011

VERSUS NO. 44,329

LESLIE C. THOMPSON

BY: D. H. Hays
DEPUTY CLERK OF COURT

MOTION FOR DISCOVERY AND INSPECTION

NOW INTO COURT, through undersigned counsel, comes Leslie C.

Thompson, with respect moves:

1.

Pursuant to LSA-C.Cr.P. art. 716 this defendant now moves the Court to order the District Attorney to permit or authorize this defendant to inspect and reproduce any relevant written or recorded statement of any nature of this defendant in the possession, custody, control or knowledge of the District Attorney.

2.

Pursuant to LSA-C.Cr.P. art. 716 this defendant moves that the Court order the District Attorney to inform this defendant of the existence, but not the contents, of any oral confession or statement of any nature made by this defendant, which the District Attorney intends to offer in evidence at the trial, with the information as to when where and to whom such confession or statement was made.

3.

Pursuant to LSA-C.Cr.P. art. 716 this defendant moves that the Court order the District Attorney to inform this defendant of the substance of any oral statements, which the State intends to offer into evidence, made by this defendant in response to interrogation by any person then known to this defendant to be a law enforcement officer.

4.

Pursuant to LSA-C.Cr.P. art. 717 this defendant moves that the Court order the District Attorney, or the appropriate law enforcement agency, to furnish to this defendant a copy of any record of his criminal arrests or convictions which is in their possession or custody.

5.

Pursuant to LSA-C.Cr.P. art. 718 this defendant moves that the Court order

the District Attorney to permit and authorize the defendant to inspect, copy, examine, test scientifically, photograph, or otherwise reproduce any and all books, papers, documents, photographs, emails, videos any computer aided materials, databases, coded or uncoded records, graphical or textual documents, tangible objects, buildings, places, or copies or portions thereof, which are within the possession, custody or control of the State, and which:

- A. are favorable to the defendant and which are material and relevant to the issue of guilt or punishment, or
- B. are intended for use by the State as evidence at the trial, or
- C. were obtained from or belong to the defendant.

6.

Defendant moves the Court to order the State to permit or authorize the defendant to inspect, copy or otherwise reproduce the original incident report of the investigating officers as authorized by LSA-R.S. 44:3. State v. Shropshire, 471 So. 2d 707 (La. 1985), Curmier v. Public Record Request of John D. DiGiulio, 553 So. 2d 806 (La. 1989), and State v. Campbell, 566 So. 2d 1038 (La. App. 3d Cir. 1990).

7.

Pursuant to LSA-C.Cr.P. art. 719 this defendant moves that the Court order the State to permit or authorize the defendant to inspect and copy, photograph or otherwise reproduce any results or reports, or copies thereof, of scientific tests or experiments, databases, coded or uncoded records, emails, videos any and all correspondences, graphical or textual documents made in connection with or material to the particular case, that are in the possession, custody, control or knowledge of the State which is intended for use at trial. This defendant further moves that this Court order the State to produce and permit and authorize this defendant to inspect and reproduce all exculpatory evidence, of any kind, whether intended for use at trial or not, by the State.

8.

Pursuant to LSA-C.Cr.P. art. 720 this defendant moves that the Court order the State to inform this defendant of the State's intent to offer evidence of the commission of any other crime admissible under the authority of LSA-C.Cr.P. art. 404,

which offenses or crimes are not conduct that constitutes an integral part of the act or transaction that is the subject of the present proceeding or other crimes for which the accused was previously convicted.

9.

Pursuant to LSA-Cr.P. art. 721 this defendant moves that the Court order the State to inform this defendant of the State's intent to use hearsay statements of co-conspirators, if any, pursuant to LSA-R.S. 15:455.

10.

Pursuant to LSA-Cr.P. art. 722 this defendant moves that the Court order the State to permit and authorize this defendant to inspect and copy or reproduce any relevant written or recorded confession or inculpatory statements made by a co-defendant in these proceedings and intended for use at trial. This defendant further moves that this Court order the State to produce and permit and authorize this defendant to inspect and reproduce all exculpatory evidence, of any kind, whether intended for use at trial or not, by the State.

11.

This defendant moves that the Court order the State to file a return herein and to attach to said return copies of all items, documents, statements and responses furnished for discovery and inspection and pursuant to and in compliance with the motion and the further orders of this Court.

12.

That the State of Louisiana identify by name and address any and all witnesses who will testify on behalf of the State, either in the case in chief or the case in rebuttal, with whom the State, has entered into a plea bargain and/or grant of immunity in exchange for or in consideration of the witness appearing and testifying on behalf of the State; that the State is to reveal, in detail, the terms, conditions and provisions of said "plea bargain" or offer of immunity made with or entered into with each such witness.

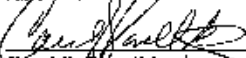
13.

That the State furnish to defendant a copy of the arrest and conviction record of all witnesses who will appear and testify on behalf of the State at any stage

or during any proceeding held in this prosecution, particularly, but not limited to, the trial on the merits of this prosecution. State v. Laird, 551 So. 2d 1311 (La. 1989).

WHEREFORE, this defendant prays that he be granted appropriate orders of Discovery and Inspection as set forth above; that a return date be fixed by this Court before which the State must comply with the orders issued pursuant to this Motion for Discovery and Inspection at the Office of the District Attorney after appropriate written notice to this defendant, through his attorney of record as to the date and time of such compliance and that on said return date, the District Attorney must file herein a return on this Motion for Discovery and Inspection, attaching thereto copies of all items, documents, and materials delivered for discovery and inspection in compliance with the orders of this Court.

RESPECTFULLY SUBMITTED:



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CERTIFICATE

I hereby certify that a copy of the above and foregoing Motion has been sent VIA FAX: (318) 259-3024 and/or by U.S. mail to District Attorney Jonathan M. Stewart, 500 East Court Avenue, Jonesboro, Louisiana 71251, Jackson Parish, on this 25th day of November, 2011.



CAROL D. POWELL-LEXING