

DISCOVERY REQUEST FORM

Court's Office – City of Manor

Docket/Offense Report/or Citation Number(s): _____

Defendant	Phone	Email Address
Name: _____	_____	_____
Defense Attorney	Phone	Email Address
_____	_____	_____

SUBMITTING A DISCOVERY REQUEST

This *Discovery Request Form* may be submitted in person at the Manor Municipal Court, 105 E. Eggleston St., Manor, TX, 78653 during normal business hours or emailed to court@manortx.gov. When your discovery is ready to be picked up, you will be notified **by email or phone**. **Discovery will not be mailed to you.**

IMPORTANT:

- #1 It is your responsibility to request discovery prior to trial. Be as specific as possible when making your request.
- #2 If you would like a copy of video, you must submit a blank DVD-R disc for each disc of video to be copied; alternatively, you may elect to merely review any evidence with the Prosecutor at a scheduled pre-trial hearing.

SCOPE OF DISCOVERY

You may request that the State, through its Prosecutor, produce evidence that *exists*, and is: (1) in the *possession, custody, or control* of the State or any of its agencies; and (2) *relevant* to your case (e.g., video of traffic stop, police report, etc.). To read the law regarding your right to discovery, please see Texas Code of Criminal Procedure, Article 39.14.

PHYSICAL EVIDENCE. All physical evidence held by the Manor Municipal Prosecutor, or a law enforcement agency may be inspected in person by the defense attorney upon request. Appointments for viewing physical evidence must be made through the Manor Municipal Prosecutor and not through the law enforcement agency.

ITEMS NOT SUBJECT TO DISCOVERY: Work product, copies of criminal history (NCIC/TCIC) printouts, and other privileged information are not subject to discovery.

EXCEPTIONS UNDER THE OPEN RECORDS ACT Any and all information released by the Manor Municipal Prosecutor to a defendant's attorney, or the defense attorney designee, in the course of criminal discovery, is being released for the sole purpose of providing discovery in accordance with the Texas Code of Criminal Procedure and the standing or specific discovery orders of the Manor Municipal Court. Disclosure of this information does not constitute a voluntary disclosure for purposes of the Texas Open Records Act and does not foreclose any governmental entities assertion of the exceptions to required disclosure under the Act with respect to information released through criminal discovery.

PRO SE DEFENDANTS In the case of a pro se defendant, the State shall permit the defendant to inspect and review a document, item, or information, but is not required to allow electronic duplication. Furthermore, some information is required by law to be redacted (e.g., personal information of a victim or witness).

I, _____, have: (1) received a copy of the Standing Discovery Order of the Manor Municipal Court; and (2) read the above instructions in this Discovery Request Form, and hereby *request the following discovery* pursuant to state law:

Signature: _____ Date Requested: _____

I _____, Prosecutor for the City of Manor Municipal Court, hereby GRANT / DENY (circle one) the defendant's motion for discovery. X _____ X _____
Date Prosecutor Signature

ACKNOWLEDGMENT OF THE DISCLOSURE, RECEIPT, AND LIST OF ALL DOCUMENTS, ITEMS, AND INFORMATION PROVIDED TO THE DEFENDANT

1. Item: _____
Copy of Item was given to Defendant OR Item only viewed with Prosecutor (circle one).

2. Item: _____
Copy of Item was given to Defendant OR Item only viewed with Prosecutor (circle one).

*Additional Items on separate sheet, if applicable (yes/no) (circle one)

Defendant's/Counsel's Signature: _____ Date: _____

MANOR MUNICIPAL COURT STANDING ORDERS

DISCOVERY REQUESTS

Upon written request by the Defendant, IT IS ORDERED that the State produce the items set forth in this Order for inspection by the Defendant. Said discovery shall be made available to the Defendant not later than the 20th day before the date the trial begins.

The Defendant must make this written request to the Prosecutor, as well as provide a blank videotape or compact disc, if a video recording is made incident to the issuance of the citation giving rise to the charge against the Defendant.

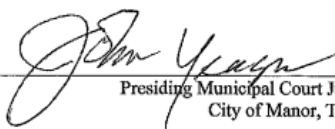
1. The State shall reveal to the Defendant and permit inspection by the Defendant of all information and material known to the State that may be favorable to the Defendant on the issues of guilt or punishment within the scope *Brady v. Maryland*, 373 U.S. 83 (1963), or that may tend to impeach any State witness.
2. The State shall permit the Defendant to inspect all documents, papers (except written statements of witnesses and except the work product of counsel in the case and their investigators and their notes or reports), books, accounts, letters, photographs, objects, or tangible things not privileged, which constitute or contain evidence material to any matter involved in the action and which are in the possession, custody or control of the State or any of its agents.
3. The State shall permit the Defendant to inspect and copy, or shall provide to the Defendant a copy of, the following:
 - a. Any written or recorded statement made by the Defendant, which is in possession of the State or its agents;
 - b. The results of scientific tests or experiments made in connection with the case;
 - c. The results of any physical or mental examination of the Defendant;
 - d. A copy of any video recording made incident to the issuance of the citation giving rise to the above styled and numbered cause which video recording may be used by the State in the prosecution of its case, provided that the Defendant must furnish an electronic device containing memory, per the State's requirements, for reproduction purposes.
4. Provide to the Defendant a list of all witnesses the State may present during its case-in-chief.

THE COURT HEREBY ORDERS that the parties confer and accomplish the following on or before the Motion hearing:

1. The State is hereby placed under a continuing duty to reveal to the Defendant, as soon as practicable, all newly discovered information or material within the scope of this standing order.
2. The Court may at any time, upon motion properly filed, order that the discovery or inspection provided for by this standing order be modified, denied, restricted, or deferred, or make such other order as is appropriate under the Texas Code of Criminal Procedure or Texas Rules of Evidence.
3. Any dispute between the State and the Defendant relating to discovery matters in general, or to compliance with this standing order, should be brought to the Court's attention as soon as possible.

Signed and ordered on 4/27/2023




Presiding Municipal Court Judge
City of Manor, Texas