

14.1 OMNIBUS APPLICATION BY PLAINTIFF AND DEFENDANT

SUPERIOR COURT OF MAJOR
FOR JAMNER COUNTY

THE STATE OF MAJOR,)	No. _____
Plaintiff,)	
)	
vs.)	
)	OMNIBUS APPLICATION
)	BY PLAINTIFF
)	AND DEFENDANT
Defendant.)	
_____)	

Date _____.

Notice to _____.

Purpose: To prepare for trial or plea and to determine the extent of discovery to be granted to each party.

I.

MOTION BY DEFENDANT

The defendant makes the applications or motions checked off below:

1. To dismiss for failure of the indictment (of information) to state an offense.

Granted _____ Denied _____.

2. To sever defendant's case and for separate trial.

3. To sever counts and for a separate trial.

4. To make more definite and certain.

5. For discovery of all oral, written or recorded statements made by defendant to investigating officers or to third parties and in the possession of the plaintiff.

6. For discovery of the names and addresses of plaintiff's witnesses and their statements.

7. To inspect physical or documentary evidence in plaintiff's possession.

8. To suppress physical evidence in plaintiff's possession because of
(1) illegal search, (2) illegal arrest. Hearing set for _____.

9. For a hearing under rule 3.5.

10. To suppress evidence of the identification of the defendant.

11. To take the deposition of witnesses.

12. To secure the appearance of a witness at trial or hearing.

13. To inquire into the conditions of pretrial release. Affirmed _____

Modified to _____.

To Require the Prosecution

14. To state:
 - (a) If there was an informer involved;
 - (b) Whether he will be called as a witness at the trial; and,
 - (c) To state the name and address of the informer or claim the privilege.
15. To disclose evidence in plaintiff's possession, favorable to defendant on the issue of guilt.
16. To disclose whether it will rely on prior acts or convictions of a similar nature for proof of knowledge or intent.
17. To advise whether any expert witness will be called, and if so, supply:
 - (a) Name of witness, qualifications and subject of testimony;
 - (b) Report.
18. To supply any reports or tests of physical or mental examinations in the control of the prosecution.
19. To supply any reports of scientific tests, experiments, or comparisons and other reports to experts in the control of the prosecution, pertaining to this case.
20. To permit inspection and copying of any books, papers, documents, photographs or tangible objects which the prosecution:
 - (a) Obtained from or belonging to the defendant; or
 - (b) Which will be used at the hearing or trial.
21. To supply any information known concerning a prior conviction of persons whom the prosecution intends to call as witnesses at the hearing or trial.
22. To inform the defendant of any information he has indicating entrapment of the defendant.

Dated _____, 20____.
(month) (day) (year)

Attorney for Defendant

II.

MOTION BY PLAINTIFF

The plaintiff makes the application or motions checked:

1. Defendant to state the general nature of his defense.
2. Defendant to state whether or not he will rely on an alibi and, if so, to furnish a list of his alibi witnesses and their addresses.
Granted _____ Denied _____.
3. Defendant to state whether or not he will rely on a defense of insanity at the time of the offense.
 - (a) If so, defendant to supply the name(s) of his witness(es) on the issue, both lay and professional.
 - (b) If so, defendant to permit the prosecution to inspect and copy all medical reports under his control or the control of his attorney.

- (c) Defendant will also state whether or not he will submit to a psychiatric examination by a doctor selected by the prosecution.
4. Defendant to furnish results of scientific tests, experiments or comparisons and the names of persons who conducted the tests.
 5. Defendant to appear in a lineup.
 6. Defendant to speak for voice identification by witnesses.
 7. Defendant to be fingerprinted.
 8. Defendant to pose for photographs (not involving a reenactment of the crime).
 9. Defendant to try on articles of clothing.
 10. Defendant to permit taking of specimens of material under fingernails.
 11. Defendant to permit taking samples of blood, hair and other materials of his body which involve no unreasonable intrusion thereof.
 12. Defendant to provide samples of his handwriting.
 13. Defendant to submit to a physical external inspection of his body.
 14. Defendant to state whether there is any claim of incompetency to stand trial.
 15. For discovery of the names and addresses of defendant's witnesses and their statements.
 16. To inspect physical or documentary evidence in defendant's possession.
 17. To take the deposition(s) of witness(es).
 18. To secure the appearance of a witness at trial or hearing.
 19. Defendant to state whether his prior convictions will be stipulated or need be proved.
 20. Defendant to state whether he will stipulate to the continuous chain of custody of evidence from acquisition to trial.

Dated _____, 20____.
(month) (day) (year)

Prosecuting Attorney

Ordered: _____, 20____.
(month) (day) (year)

Judge