

FILED

AT 1:15 PM-AM

IN THE DISTRICT COURT
29TH JUDICIAL DISTRICT
PALO PINTO COUNTY, TEXAS

FEB 10 2014
Janie Glover
JANIE GLOVER, DISTRICT CLERK
PALO PINTO COUNTY TEXAS

STANDING ORDER IN ALL CRIMINAL CASES BY _____ DEPUTY

Pursuant to article 39.14 of the Texas Code of Criminal Procedure and the ORDER of this Court, upon timely request of the defendant through counsel, in **ALL** criminal cases now or hereafter pending in this Court, the State, through the office of its District Attorney, is ordered to produce and make available to the Defendant's attorney at the office of said District Attorney for inspection and copying, **and without the necessity of the filing of a motion for discovery or production thereof**, the following, if applicable, to wit:

1. Offense reports, any designated documents, papers, written or recorded statements of the defendant or a witness, including witness statements of law enforcement officers but not including the work product of counsel for the state in the case and their investigators and their notes or reports, or any designated books, accounts, letters, photographs, or objects or other tangible things not otherwise privileged that constitute or contain evidence material to any matter involved in the action and that are in the possession, custody, or control of the state or any person under contract with the state.
2. Any inspection of said materials shall be made in the presence of a representative of the state.
3. The criminal arrest and conviction records, if any, of the Defendant, through inspection only.
4. The nature of any agreement between the State or other governmental agency and any

prospective witness in this cause which could in any manner affect the testimony, attitude or conduct of the witness, including particularly any agreement not to prosecute the witness for criminal acts or to recommend a particular punishment in the disposition of a criminal case.

5. Any exculpatory, impeachment and mitigating document, item, or information in the possession, custody, or control of the state that tends to negate the guilt of the defendant or would tend to reduce the punishment for the offense charged.
6. Upon timely request by the accused, reasonable notice in advance of trial of other crimes, wrongs or acts of the Defendant permitted by Rule 404(b) of the Texas Rules of Evidence that the State desires to use upon the trial of the case.
7. Upon timely request by the accused, reasonable notice in advance of trial as required by article 37.07(3)(g) of the Texas Code of Criminal Procedure of any extraneous crime or bad act of the Defendant that has not resulted in a final conviction in a court of record or a probated or suspended sentence.
8. The office of the District Attorney may place applicable items designated for discovery in its online District Attorney Case System (DACS) and be in compliance with this order. Defense counsel should access the discovery provided through the DACS system.

Pursuant to article 39.14(l), defense counsel who do not participate in the DACS system and who request paper or electronic copies of documents outside of that system shall, upon request, pay to the office of the District Attorney the costs related to producing those materials, provided that such costs shall not exceed the charges prescribed by Subchapter F, Chapter 552 of the Texas

Government Code.

In all criminal cases now or hereafter pending in this Court, each party, State and Defendant, by and through its attorney is hereby ordered to produce and make available to the other party, **without the necessity of the filing of a motion**, the disclosure notice required by article 39.14(b) of the Texas Code of Criminal Procedure by disclosing in writing the name(s) and address(es) of each person the party may use to present evidence under Rules 702, 703 and 705 of the Texas Rules of Evidence upon the trial of this cause and such notice shall be provided no later than twenty (20) days before the date the trial begins herein unless waived by the other party.

If an issue arises that is contested and requires the Court's intervention, (e.g. motions to suppress, motions to quash, discovery disputes, etc.) it shall be the responsibility of counsel desiring the Court's ruling to file the motion and request a setting from the Court Coordinator. Counsel shall ensure that the setting is not earlier than seven (7) days from the date of the filing of any motion.

As provided in article 39.14 of the Code of Criminal Procedure, upon receipt of non-public discovery materials, defense counsel shall not disclose those materials without a court order. Defense counsel shall not provide the Defendant with copies of discovery materials other than the Defendant's own statement. Prior to showing the Defendant or any third party any other discovery information, defense counsel shall redact the address, telephone number, driver's license number, social security number, date of birth, and any bank account or other identifying numbers contained in the document or witness statement.

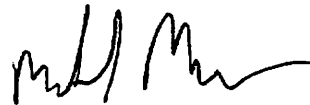
This order shall be an ongoing one so that the District Attorney shall be required to advise ~~the Defendant's attorney(s) of any new evidence coming into his possession or knowledge~~

subsequent to the original preclusion under this Order, which evidence would be subject to discovery under this Order, and to then permit appropriate dissemination or inspection of the same. The District Attorney and the Defendant or his attorney shall exercise reasonable diligence in complying with this Order. The term "Defendant" as used herein, shall be deemed to include any co-conspirator or other person for whose conduct the Defendant may be held responsible under Chapter 7 of the Penal Code.

The purpose of this Order is to eliminate the necessity of pretrial hearings or the filing of pretrial motions relating to the matters covered hereby and does not in any way affect the right of the State, upon good cause shown, to file a motion seeking to modify this order in an appropriate case, or the right of the Defendant to file such other motions regarding pretrial discovery and/or production as he shall deem necessary and advisable on matters not covered by this Order.

Nothing in this Order shall preclude the office of the District Attorney from establishing discovery policies or practices that exceed the provisions of this Order, so long as such policies or practices are within the scope of this Order and article 39.14 of the Code of Criminal Procedure.

This order is effective February 10, 2014 and shall remain in full force and effect until altered, modified, or rescinded by the Court. The Clerk of this Court shall cause a copy of this order to be filed in the cases designated herein at the time that an indictment returned by a grand jury is received and filed by the Clerk of this Court.



JUDGE PRESIDING