

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF RAMSEY

SECOND JUDICIAL DISTRICT

State of Minnesota,

File No.

Plaintiff,

vs.

**DEFENDANT'S REQUESTS
FOR DISCLOSURE AND
MOTIONS**

John Doe

Defendant.

To: Brian Anderson, Assistant County Attorney, Hennepin County Attorney's Office, C-2000 Government Center, 300 South Sixth Street, Minneapolis, MN 55487; and, Hennepin County Court Administration, 300 South Sixth Street, Minneapolis, MN 55487.

The Defendant, by and through his/her attorney, John T. Arechigo, demands and moves the Court for the relief specified below, and demands a hearing on the same as provided by the Minnesota Rules of Criminal Procedure.

REQUESTS FOR DISCLOSURE

The defendant, by and through his attorney, John T. Arechigo, hereby requests disclosure as provided for in Rule 9.01 of the Minnesota Rules of Criminal Procedure. This demand includes, but is not limited to, the following items, whether written, generated, or received, and regardless of whose possession they are in:

1. Full disclosure of trial witnesses, statements, documents and tangible objects, reports of examinations and tests, criminal records of defendant, exculpatory information, and all other disclosures as provided for in Minn. R. Crim. P. 9.01.
2. All police or investigative reports, notes, scientific or other tests, documents, photographs, audio recordings, video recordings, or other items pertaining to the investigation or arrest of defendant, or intended to be offered at trial.
3. All witnesses the State intends to call together with their prior convictions, copies of their written statements, copies and summaries of oral statements, reports and notes taken by them.
4. The identity, including the business address and telephone number, of the qualified interpreter" required to be provided by law enforcement officials, pursuant to Minnesota

Statutes 611.30 and 611.32, Subd. 2.

5. Radar, laser or speedometer logs for speed measurement used in this arrest, for the thirty (30) days prior to, and the thirty (30) days subsequent to the date of the arrest, if an allegation of speeding was involved at any stage of the incident.
6. Copies of all dispatch logs and records identifying the exact locations and activities of all police officers, who were either directly or indirectly, formally or informally, involved in this incident, and relative to all other contacts or surveillance of my client during the thirty (30) days prior to this incident.
7. Exact copies of all photographs, including digitally generated depictions, of the scene, or of any persons or things, which the officers, or any other persons, may have relied on for any purpose, prior to, during, or after the incident.
8. Exact copies of all photographs, including digitally generated depictions of my client, which the officers or any other persons may have taken for any purpose, prior to, during, or after the incident. This demand includes photographs taken at the time of booking, sometimes referred to as “mug shots.”
9. Complete, detailed and accurate physical descriptions of all persons whose photographs, sketches, or physical bodies were a part of any identification process, including “photo arrays” or police department line-ups, regardless of where the identification process took place, and regardless of whether one or more other individuals were involved in the process.
10. Complete, detailed information about any person, persons, or sources, confidential or non-confidential, including Concerned Citizens, who supplied any information to anyone in your office or the police department about my client or this incident.
11. Verification of the chain of custody of the blood or urine collection kits while under the control of the police department and/or the BCA, for the tests which were conducted on my client.
12. The blood file and/or the urine file relative to the incident, whether in the possession of the police department or the BCA.
13. Copies of any Search or Arrest Warrants, and the accompanying affidavits.

MOTIONS

Defendant moves the Court for the following relief:

1. To suppress all evidence seized or obtained by the State including observations of and identification of defendant, statements of defendant and all evidence derived from any seizures, searches or questioning on grounds that defendant’s rights were violated under the

United States Constitution, Amendments 4, 5, 6, and 14, and Minnesota Constitution, Article I, Sections 7 and 10, and Minn. Stat. §§ 634.03, 634.031, and 626.21.

2. Defendant moves to suppress any and all evidence relating to a chemical test and/or refusal to test for violation of defendant's right to due process, equal protection and right to counsel under the United States and Minnesota Constitutions.
3. Defendant moves to dismiss the charges for lack of probable cause.
4. Defendant moves to dismiss the charges for failure to provide the necessary disclosures.
5. Defendant moves in limine for an order that the State cannot introduce evidence of other crimes on the grounds that they are not relevant to the charges herein, they are unduly prejudicial and the State failed to provide an adequate Rule 7.02 Notice.
6. Defendant moves to dismiss the charges on the grounds that the prosecution of the defendant would violate the defendant's rights against double jeopardy, multiple punishment and serialized prosecution under Article I, Section 7 of the Minnesota Constitution, the Fifth Amendment of the United States Constitution and Minn. Stat. § 609.035.
7. To suppress all evidence seized or obtained by the State based upon an illegal stop of defendant's motor vehicle, the officer not having the requisite articulable suspicion to warrant such a stop.

Dated: _____

Respectfully Submitted,

ARECHIGO & STOKKA, LLP

By: _____
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