

DISCOVERY REQUEST FORM

Court's Office – City of Bastrop

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 Bastrop Municipal Court, 104 E. Grady Tuck Ln., Bastrop, TX, 78602 during normal business hours or emailed to BMC@cityofbastrop.org.

IMPORTANT:

- #1 It is your responsibility to request discovery prior to trial. Be as specific as possible when making your request.
- #2 You may view 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(d).

PHYSICAL EVIDENCE. All physical evidence held by the Bastrop 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 Bastrop 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 Bastrop 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 Bastrop 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 read the above instructions in this Discovery Request Form, and hereby *request the following discovery* pursuant to state law:

Signature: _____ Date Requested: _____

I _____, Presiding Judge for the City of Bastrop Municipal Court, hereby GRANT DENY the defendant's motion for discovery.

X _____ X _____
Date Presiding Judge 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: _____