

IN THE CIRCUIT COURT OF THE
NINTH JUDICIAL CIRCUIT IN AND
FOR ORANGE COUNTY, FLORIDA

STATE OF FLORIDA,

Plaintiff,
vs.

CASE NO.: 48-08-CF-10925-O
JUDGE: STAN STRICKLAND

CASEY ANTHONY,

Defendant.

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MOTION FOR PRODUCTION OF FAVORABLE EVIDENCE

COMES NOW, the Defendant, CASEY ANTHONY, by and through undersigned counsel and pursuant to the due process clause of the U.S. Constitution Amendment XIV, and Florida Rule of Criminal Procedure 3.220, and respectfully moves this Honorable Court to Order the State of Florida and its various police agencies to disclose to the Defendant and permit the Defendant to inspect, copy, and photograph all of the following information within the actual or constructive possession or custody of the State, or the existence of which is known or, by the exercise of due diligence, could become known to the State:

1. The names and addresses of any witnesses who might assist in establishing the innocence or mitigating the punishment of the Defendant, or impeach or contradict the credibility or testimony of any witness whom the State intends to call or may intend to call at the trial of this cause or who has provided the State or the any of the State's various police agencies with any information tending to incriminate the defendant.
2. The names and addresses of any persons who have acted as undercover agents or informants during the course of the investigation in this case, regardless of whether such agents or informants are police officers, indicted defendants, or unindicted co-

conspirators.

3. Any oral, written, or recorded statements made by any person to the police, the Office of the State Attorney, or the Grand Jury, which tend to establish the innocence or mitigate the punishment of the defendant, or impeach or contradict the credibility or testimony of any person whom the State may intend to call at trial or who has provided the State or any of its several police agencies with any information tending to incriminate the Defendant. *Brady v. Maryland*, 373 U.S. 83, 83 S. Ct. 1194, 10 L. Ed. 2d 215 (1963).
4. Any and all consideration or promises of consideration given or made by the State or its several police agencies with any information tending to incriminate the defendant, or whom the State may call as a witness to trial. By "consideration", the defendant refers to absolutely anything of value or use, including but not limited to grants of immunity, witness fees, special witness fees, payment or transportation costs, assistance to family members or associates, assistance or favorable treatment with respect to any criminal, civil, tax court, or administrative dispute with the State or any other entity or person, and anything else which could arguably create an interest or bias in the witness in favor of the State or against the Defense or act as an inducement to testify or to color testimony. *Giglio v. U.S.*, 405 U.S. 150, 92 S. Ct. 763, 31 L. Ed. 2d 104 (1972).
5. Any and all prosecutions, investigations, or possible prosecution pending or which could be brought against, any probationary, parole, or deferred prosecution status of any person who has provided the State or any of its law enforcement agencies with any information tending to incriminate the Defendant or whom the State may intend to call as a witness at the trial of this cause.
6. Any police investigation report or other report made to any law enforcement agency which tends to establish the innocence or mitigate the punishment of the Defendant, or which tends to impeach, discredit, or contradict the testimony of any person whom the

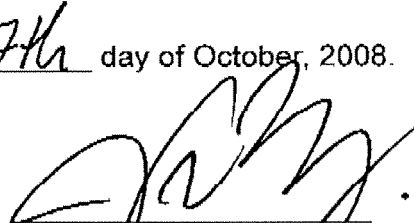
State may intend to call as a witness at trial or who has provided the State or any of its law enforcement agencies with any information tending to incriminate the Defendant.

7. Any scientific or medical record which tends to establish the innocence or mitigate the punishment of the Defendant or which tends to impeach, discredit, or contradict the testimony of any person who has provided the State or any of its law enforcement agencies with any information tending to incriminate the Defendant or whom the State intends to testify at trial.
8. Any other evidence or information in the actual or constructive possession of the State which can fairly and probably be used to advantage by the Defendant on the issues of guilt or punishment, or which may reasonably be considered admissible or useful to the Defendant in the sense that it is favorable material and exculpatory regardless of the fact that such evidence or information may be the fruits of the work product of the prosecutor. *State v. Gillespie*, 227 So. 2d 550 (Fla. Dist. Ct. App. 2d Dist. 1969); *State v. Crawford*, 257 So. 2d 898 (la. 1972).
9. Any police investigation reports or any other similar documentation in possession by any law enforcement agency which involves the investigation of tips, leads, and follow-ups conducted by said agency or agencies, based on sightings of Caylee Marie Anthony.

The Defendant would submit that the evidence sought to be discovered cannot otherwise be discovered under the Florida Rules of Criminal Procedure and the Defendant cannot, by reasonable diligence, otherwise avail herself of such evidence except by the Order of this Court.

I HEREBY CERTIFY that a true and correct copy of the foregoing has been sent by U.S. Mail and or Fax/hand delivered to the Office of the State Attorney at 415 North

Orange Avenue, Orlando, Florida 32801, this 7th day of October, 2008.



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