

VIRGINIA:

IN THE
CIRCUIT COURT FOR THE CITY OF ALEXANDRIA

COMMONWEALTH OF VIRGINIA

DOCKET No.
CF14000270

— v. —

CHARLES STANARD SEVERANCE,
Defendant.

DISCOVERY AND INSPECTION ORDER

THIS DAY came the Commonwealth of Virginia, by her Attorneys, and the Defendant, by counsel, and moved the Court for an entry of an Order governing the provision of discovery by the respective parties in this case, pursuant to Rule 3A:11, Rules of the Supreme Court of Virginia. Whereupon, the Attorneys for the Commonwealth and counsel for the Defendant moved the Court to approve and order the following schedule of discovery and inspection in this case, which said Motion the Court granted; it is therefore.

ADJUDGED and ORDERED that the Commonwealth of Virginia permit the Defendant to inspect, copy and/or photograph (1) all written or recorded statements or confessions made by the accused, or copies thereof, or the substance of any oral statements or confessions made by the accused to any law enforcement officer, the existence of which is known to the Attorney for the Commonwealth; (2) all written reports of autopsies,

ballistics tests, fingerprint and handwriting analyses, blood, urine and breath tests, other scientific reports, and written reports of a physical or mental examination of the accused or alleged victim made in connection with this case, or copies thereof, that are known by the Commonwealth's Attorney to be within the possession, custody or control of the Commonwealth; (3) all books, papers, documents, photographs, tangible objects, buildings or places, or copies or portions thereof, that are within the possession, custody, or control of the Commonwealth, upon a showing that the items sought may be material to the preparation of the defense and that the request is reasonable. This does not authorize the discovery or inspection of statements made by Commonwealth witnesses or prospective Commonwealth witnesses to agents of the Commonwealth or of reports, memoranda or other internal Commonwealth documents made by agents in connection with the investigation or prosecution of the case, except as provided in subsection (2) above.

IT IS FURTHER ADJUDGED AND ORDERED that the record of criminal convictions for felonies or offenses of moral turpitude of Defendant and all persons expected to be called as witnesses for the Commonwealth, who may have such criminal record, will be made available for review at the Office of the Commonwealth's Attorney five days prior to trial. Such record of any witness whose existence becomes known to the Commonwealth after five days prior to trial shall be provided prior to trial.

IT IS FURTHER ADJUDGED AND ORDERED that the Commonwealth of Virginia provide to the Defendant any evidence of an exculpatory nature, as defined in Brady v. Maryland, 373 U.S. 83 (1973), and those cases interpreting that opinion.

IT IS FURTHER ADJUDGED AND ORDERED that the Defendant permit the Commonwealth to inspect, copy and photograph any written reports of autopsy examinations, ballistic tests, fingerprint, blood, urine and breath analyses, and other scientific tests that may be within the accused's possession, custody or control and which the defense intends to proffer or introduce into evidence at trial or sentencing.

IT IS FURTHER ADJUDGED AND ORDERED that the accused disclose whether he intends to introduce evidence to establish an alibi, and if so, that the accused disclose the place at which he claims to have been at the time of the commission of the alleged offense; and

IT IS FURTHER ADJUDGED AND ORDERED that if the accused intends to rely upon the defense of insanity or feeble-mindedness, the accused shall permit the Commonwealth to inspect copy or photograph any written reports of a physical or mental examination of the accused made in connection with the particular case, provided, however, that no statement made by the accused in the course of an examination provided for by this Rule shall be used by the Commonwealth in its case-in-chief, whether the examination shall be with or without the consent of the accused.

IT IS FURTHER ADJUDGED AND ORDERED that the Commonwealth of Virginia and Defendant provide the above-ordered discovery and inspection at the Office of the Commonwealth's Attorney by 4:00 p.m. on or before 21 days prior to trial.

ENTERED this 23rd day of October, 2014.


The Honorable Jane Marum Roush
Circuit Court Judge

SEEN AND AGREED:


Bryan L. Porter
David A. Lord
Marc J. Birnbaum
Attorneys for the Commonwealth


Chris Leibig, Esq.
Megan Thomas, Esq.
Joe King, Esq.
Counsel for Defendant