

IN THE CIRCUIT COURT OF THE
FIRST JUDICIAL CIRCUIT, IN AND FOR
WALTON COUNTY, FLORIDA

CASE NO.: 2025CF000123

STATE OF FLORIDA,
Plaintiff,

v.

JOSEPH JAMES TURNER,
Defendant,

_____ /

NOTICE OF DISCOVERY

COMES NOW the Defendant, by and through undersigned Counsel, and notices the State to provide, pursuant to Florida Rule of Criminal Procedure 3.220, and other discovery rules, and/or permit the Defendant, by and through Counsel, to inspect, copy, test, and photograph the following material and information within the State's possession or control¹:

1. A list of the names and addresses of all persons known to the prosecutor to have information that may be relevant to any offense charged or any defense thereto, or to any similar fact evidence to be presented at trial under F.S. §90.404(2). These witnesses required to be disclosed to the Defendant must include, pursuant to Fla.

R. Cr. P. 3.220(b)(1)(A)(i):

- a. Category A witnesses

¹ This request is meant specifically to exclude material which may portray sexual performance by a child or child pornography, so long as the State Attorney makes the property or material reasonably available to the Defendant or the defendant's attorney. See Fla. R. Cr. P. 3.220(b)(1).

- i. Eyewitnesses
 - ii. Alibi witnesses and rebuttal to alibi witnesses
 - iii. Witnesses who were present when a recorded or unrecorded statement was taken from or made by a Defendant or codefendant, which must be separately identified within this category
 - iv. Investigating officers
 - v. Witnesses known by the prosecutor to have any material information that tends to negate the guilt of the Defendant as to any offense charged
 - vi. Child hearsay witnesses
 - vii. Expert witnesses who have not provided a written report and curriculum vitae or who are going to testify
 - viii. Informant witnesses, whether in custody, who offer testimony concerning the statements of a Defendant about the issues for which the Defendant is being tried.
- b. Category B witnesses, any witnesses not listed in Category A or C.
 - c. Category C witnesses
 - i. All witnesses who performed only ministerial functions or whom the prosecutor does not intend to call at trial and whose involvement with and knowledge of the case is fully set out in a police report or other statement furnished to the defense.
2. The statement of any person whose name is furnished in compliance with the preceding subdivision. The term "statement as used herein includes a written

statement made by the person and signed or otherwise adopted or approved by the person and also includes any statement of any kind or manner made by the person and written or recorded or summarized in any writing or recording. The term "statement" is specifically intended to include all police and investigative reports of any kind prepared for or in connection with the case, but must not include the notes from which those reports are compiled.

3. Any written or recorded statements and the substance of any oral statements made by the Defendant, including a copy of any statements contained in police reports or report summaries, together with the name and address of each witness to the statements. See Blatch v. State, 495 So.2d 1203 (Fla. 4th DCA 1986) and Richardson v. State, 246 So. 2d 771 (Fla. 1971).
4. Any written or recorded statements and the substance of any oral statements made by a codefendant.
5. Those portions of recorded grand jury minutes that contain testimony of the Defendant.
6. Any tangible papers or objects that were obtained from or belonged to the Defendant.
7. Whether the State has any material or information that has been provided by a confidential informant together with any evidence of the former reliability of that confidential informant and the circumstances verifying that reliability.
8. Whether there has been any electronic surveillance, including wiretapping, of the premises of the Defendant, or of conversations to which the Defendant was a party

and any documents relating thereto, including consent forms executed by a party or parties to said conversations.

9. Whether there has been any search or seizure and any documents relating thereto.
10. Reports or statements of experts made in connection with the case, including results of physical or mental examinations and of scientific tests, experiments, or comparisons.
11. Any tangible papers or objects that the prosecuting attorney intends to use in the hearing or trial and that were not obtained from or that did not belong to the Defendant.
12. Any tangible paper, objects, or substances in the possession of law enforcement that could be tested for DNA
13. Whether the state has any material or information that has been provided by an informant witness including:
 - a. The substance of any statement allegedly made by the Defendant about which the informant witness may testify
 - b. A summary of the criminal history record of the informant witness
 - c. The time and place under which the Defendant's alleged statement was made
 - d. Whether the informant witness has received, or expects to receive, anything in exchange for his or her testimony
 - e. The informant witness's prior history of cooperation, in return for any benefit, as known to the prosecutor.

14. Any written or recorded statements and the substance of any oral statements made by the accused and known to the prosecutor, together with the name and address of each witness to the statement.

15. Any written or recorded statements and the substance of any oral statements made by a co-defendant, if the trial is to be joint, or if the co-defendant may be a prospective State witness, or if the co-defendant is charged as a co-conspirator or principal.

DISCOVERY OF "SENSITIVE WITNESSES"

Whether any person listed above as a witness by the prosecutor is a child under sixteen (16 years of age or is otherwise considered by the prosecutor to be of "fragile emotional strength" as specified in Fla. R. Cr. P 3.220(h)(4).

SEARCH AND SEIZURE

1. Names and addresses of persons conducting search and seizure.
2. Any documents relating to said search and seizure, including, but not limited to, search warrants and supporting affidavits.
3. Whether seizure was made pursuant to search warrant, as incident to lawful custodial arrest, under plain view doctrine, under theory of abandoned property, under theory of inventory search, or based on the Defendant's consent.
4. If consent is alleged to be given by someone other than the Defendant, the name and address of said person and the consenting person's relationship to the Defendant.

CONFIDENTIAL INFORMANTS

1. Names and addresses of all confidential informants involved in the instant case.
2. How said confidential informant has been involved in the instant case, and how said confidential informant has worked with the police against the Defendant.
3. Whether said confidential informant has a past criminal record (including all arrests) and/or was a user of narcotics, hallucinogenic drugs, or any other controlled substances.
4. The number of cases in which said confidential informant has participated in the past.
5. The number of convictions and/or acquittals resulting in those cases.
6. Whether the confidential informant has received financial remuneration for his or her services, and, if so, how much?
7. Whether the confidential informant has received or been promised assistance with any criminal charges against himself and/or a member of his family, or a friend, or associate.
8. Any agreement entered into by the confidential informant and the terms thereof.

ELECTRONIC SURVEILLANCE

Pursuant to Fla. R. Cr. P. 3.220 and chapter 934, Florida Statutes, the Defendant would demand the following documents:

Authorization, Application, Order of Interception, Application for Extension, Order of Extension of Interception, Affidavit of Compliance, Order of Custody, Notification and Inventory, Logs, and any other documents.

LINE-UPS, SHOW-UPS, PHOTOGRAPHIC DISPLAYS

In reference to any line-ups, show-ups, and/or photographic displays, the Defendant would demand that any photographs or documentary dates thereof or relevant thereto be preserved:

1. If applicable, when, where, under what circumstances, and by whom such identification procedures were documented.
2. Names and addresses of all individuals who were present at the aforementioned identification procedures and the exact manner and extent to which each individual so named participated therein.
3. As to each witness who viewed such identification procedures, whether said individual was able to identify the Defendant as the perpetrator of the alleged crime.

POLYGRAPH EXAMINATIONS

Whether anyone has been administered a polygraph examination; the name of the examiner; his opinion; and the test questions, charts, and other pertinent documents.

BRADY EVIDENCE

Any and all evidence favorable to the accused on the issues of guilt or punishment. Brady v. Maryland, 373 U.S. 83 (1963); United State v. Agurs, 427 U.S. 97 (1976); Giles v. Maryland, 386 U.S. 66 (1967).

EVIDENCE OF IMPEACHMENT, MOTIVE, OR BIAS

1. Whether there has been any promise of leniency and/or promise of financial remuneration to any witness(es). Giglio v. United States, 405 U.S. 150 (1972); DeMarco v. United States, 415 U.S. 49 (1974).
2. The undersigned also respectfully requests knowledge of the application for any U-Visa, T-Visa, victim's compensation, housing, or other benefit afforded to the witness(es) and/or victim(s) in the above-styled case, including whether there are any plans to apply for permanent status in the United States, and/or be afforded such benefit in exchange for cooperating with the prosecution in this case.
3. Whether the State of Florida or any political subdivision thereof, or municipality thereof, or the United States government or any subdivision thereof, or agency thereof, has contributed monies for the payment of legal services for any codefendant or witness(es) in said cause, to include Guardians Ad Litem.
4. Any and all evidence, whether it be testimonial or documentary in nature which would contradict or be inconsistent with proof the State intends to introduce at trial.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via e-filing to Office of the State Attorney, First Judicial Circuit, Walton County, this 10th day of April, 2025.

/s/Kathleen M. Bogenschutz
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**UNOFFICIAL
DOCUMENT**