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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
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 vs.)
)
 Defendant[s].)
_____)

No. CR _____ GHK

ORDER FOR DISCOVERY
AND INSPECTION IN
CRIMINAL CASES BEFORE
JUDGE GEORGE H. KING

In order to obviate unnecessary motions for discovery in criminal actions, proceedings, matters or cases assigned to the undersigned court for trial,

IT IS ORDERED:

1. Within seven (7) days of the post-indictment arraignment before the Magistrate Judge, the Assistant United States Attorney assigned to the trial of the case and the defendant's attorney shall meet and confer, and upon request of the attorney for the defendant the Government shall:

(a) Permit defendant's attorney to inspect and copy or photograph any relevant written or recorded statements or confessions made by the defendant, or copies thereof, within the possession, custody, or control of the Government, the existence of which is known, or may become known, to the attorney for the Government;

(b) Permit defendant's attorney to inspect and copy or photograph any relevant results or reports of physical or mental examinations, and of specific tests or experiments made in connection with

1 the case, or copies thereof, within the possession, custody, or control of the Government, the existence of
2 which is known, or may become known, to the attorney for the Government, and which are material to the
3 defendant's case;

4 (c) Permit defendant's attorney to inspect and copy or photograph any relevant recorded
5 testimony of the defendant before a grand jury;

6 (d) Permit defendant's attorney to inspect and copy or photograph books, papers, documents,
7 tangible objects, buildings, or places which are the property of the defendant and which are within the
8 possession, custody, or control of the Government;

9 (e) Make known to defendant's attorney the defendant's prior criminal record in the
10 possession of the attorney for the Government;

11 (f) Permit defendant's attorney to inspect, copy, or photograph any evidence favorable to the
12 defendant;

13 (g) Advise defendant's attorney of the existence or non-existence of any evidence in the
14 possession of the Government obtained as the result of any electronic surveillance or wiretap;

15 (h) Advise defendant's attorney of the contemplated use of informer testimony (fact of
16 informer only, not name or testimony);

17 (i) Disclose to defendant's attorney its intent to use any statements or confessions made by
18 the defendant. If defendant questions the admissibility of such statement or confession, the hearing required
19 by Jackson v. Denno, 378 U.S. 368 (1964), shall be scheduled at the first status conference with the court.

20 (j) Give to defendant's counsel a copy of the statements of all witnesses the government
21 intends to call in its case in chief.

22 2. If, in the judgment of the United States Attorney, it would not be in the interests of justice to
23 make any one or more disclosures set forth in paragraph (1) and requested by defendant's counsel, disclosure
24 may be declined, and this matter shall be addressed at the first status conference with the court.

25 3. Upon completion of the conference required herein, no later than the Friday before the status
26 conference, the parties shall file (with a courtesy copy to Chambers at Room 670, Roybal Federal Building)
27 a joint statement:

28 (a) That the prescribed conference was held;

1 (b) The date of said conference;

2 (c) The name of the Assistant United States Attorney with whom the conference was held;

3 (d) The contested matters of discovery and inspection and any additional discovery or
4 inspection desired by the defendant;

5 (e) The fact of disclosure of all material favorable to the defendant or the absence thereof
6 within the meaning of Brady v. Maryland, 373 U.S. 83 (1963) and related cases;

7 4. Any duty of disclosure and discovery set forth herein is a continuing one.

8 5. This order is not intended to preclude discovery by the Government pursuant to Rule 16(b) of
9 the Federal Rules of Criminal Procedure.

10 6. It shall be the joint duty of counsel for the defendant and the United States Attorney to schedule
11 and hold the conference contemplated herein. The United States Attorney shall assure time and availability
12 for such conference within the time herein provided unless the discovery conference is waived in writing
13 by defendant and his counsel and such waiver filed with the court.

14 7. Counsel for defendant shall have (1) reviewed all disclosures made and discovery received, and
15 (2) had sufficient discussion with his/her client and the United States Attorney by the time of the first status
16 conference with the court to enable counsel to meaningfully discuss with the court at said status conference
17 the likelihood of trial/disposition of this case.

18 8. The government shall be represented at all status conferences with the court by the Assistant
19 United States Attorney who is assigned to the trial of the case, and who is most knowledgeable about the
20 aforesaid matters, well as any other matters scheduled for discussion with the court at the status conferences.

21
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23 DATE: _____

24 GEORGE H. KING
25 UNITED STATES DISTRICT JUDGE
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