

BARRY MCHUGH
Kootenai County Prosecuting Attorney
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Assigned Attorney
Destry William Randles, *Deputy Prosecuting Attorney*

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE STATE OF
IDAHO, IN AND FOR THE COUNTY OF KOOTENAI

STATE OF IDAHO,
Plaintiff,

vs.

SEAN ALEXANDER BARRON,
Defendant.

Case No. CR28-18-9697

**RESPONSE TO DEFENDANT'S
REQUEST FOR DISCOVERY**

COMES NOW, BARRY MCHUGH, Prosecuting Attorney, for Kootenai County, Idaho,
and submits the following response to Discovery:

1) Pursuant to Idaho Criminal Rule 16(a), the defendant is hereby informed that
The prosecution is unaware of any evidence that is exculpatory on its face relating to the offense
charged other than that which may be included in the discovered reports.

2) The State has complied with the discovery request by furnishing the following
information, evidence and materials:

- **Police Report: Kootenai County Sheriff's Office 18-24945 (9 pgs.)**
 - **KCSO Citation 174563 (2 pgs.)**
 - **KCPAO Copy of Report 18-24945; Codes & Involvements (2 pgs.)**
 - **Deputy Chambers' Narrative (2 pgs.)**

- **Detective Campbell's Supplement (1 pg.)**
- **Name Involvements (1 pg.)**
- **Voluntary Statement Form (1 pg.)**

- **Defendant's Criminal History (4 pgs.)**
 - **NCIC (4 pg.)**

If you have not received any of the foregoing copies, please contact this office immediately.

3) Pursuant to Idaho Criminal Rule 16(b)(3), a copy of the defendant's prior criminal record as is currently known to the prosecutor has been provided. This serves as notice of the intention to use the defendant's criminal history should any fall under I.R.E 609(b).

4) Pursuant to Idaho Criminal Rule 16(b)(6), a record of any prior felony convictions known to the prosecutor of persons that the prosecutor intends to call as witnesses at hearing or trial will be provided prior to trial.

5) Pursuant to Idaho Criminal Rule 16(b)(4), the Prosecuting Attorney further informs the Defendant that you are permitted to inspect and copy or photograph books, paper, documents, photographs, tangible objects, building or places or copies or portions thereof that are mentioned or listed in the above-listed documents, that are in the possession, custody or control of the Prosecuting Attorney and that are material to the preparation of the defense, or intended for use by the Prosecutor as evidence at trial, or obtained from or belonging to the Defendant.

6) Pursuant to Idaho Criminal Rule 16(b)(5), the Prosecuting Attorney further informs the Defendant that you are permitted to inspect and copy or photograph any results or reports of physical or mental examinations, and of scientific tests or experiments, made in connection with the particular case, or copies thereof, which are mentioned or listed in the above-listed documents

and which are within the possession, custody or control of the Prosecuting Attorney by the exercise of due diligence.

7) The State reserves the right to call on any witnesses listed in the provided discovery or listed in any underlying reports or documentation submitted by the defense. Said witnesses may be called upon to provide expert testimony at hearing or trial regarding observations and qualifications relating to their knowledge, skill, experience, training, education and may testify as to the resulting opinions which are disclosed in the discovered reports. Copies of the report(s) containing the opinions and facts and data relied upon in forming the opinions of said witnesses is being provided at this time as described above or will be provided through Supplemental Discovery as the material is received by the State.

8) Notice is hereby given that pursuant to I.R.E. 404(b), the State may use any and all of the evidence described or referred to in the provided discovery and that any Information to be filed in this matter may include enhancements under I.C. 19-2514, 19-2520, 19-2520B, 19-2520C and 19-2520G, if applicable.

9) Pursuant to I.C.R. 16(f) and I.R.E. 509, the Prosecuting Attorney hereby asserts its privilege(s) and objects to any request which qualifies as work product and/or which might have the tendency of compromising the identity of any informants.

10) The Prosecuting Attorney objects to any request beyond the scope of I.C.R. 16, and specifically objects to any request for copies of subpoenas issued by the state in this matter, for any witness's NCIC or Spillman report, and for any of the witness's misdemeanor criminal history under *Ramirez v. State*, 119 Idaho 1037 (Ct.App. 1991) and *Queen v. State*, 146 Idaho 502 (Ct.App. 2008).

The State reserves the right to supplement discovery as it becomes available. Should the State become aware of additional material or information subject to disclosure, and within the prosecutions possession or control, the State will notify the defendant pursuant to ICR 16.

Offer of settlement is is not included along with discovery.

Redacted Protected information is is not included with discovery.

DATED this 1st day of August, 2018.

BARRY MCHUGH
Kootenai County Prosecuting Attorney



Destry William Randles
Deputy Prosecuting Attorney

CERTIFICATE OF MAILING

I hereby certify that on the 2nd day of August, 2018, a true and correct copy of the foregoing was caused to be delivered as follows: mailed faxed hand delivered emailed JusticeWeb ICourts

Defense Counsel
Edward John Lawlor


