

ORIGINAL

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FEB 23 2016

CLERK OF THE SUPERIOR COURT
COUNTY OF STANISLAUS

BY: *Kelley Starn*

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7 Attorney for Defendant
8 FRANK CARSON

9 IN THE SUPERIOR COURT OF CALIFORNIA
10 COUNTY OF STANISLAUS

11 PEOPLE OF THE STATE OF CALIFORNIA,) CASE NO. 1490969
12 Plaintiff,)

13 vs.)

14 FRANK CARSON,)
15 Defendant.)

16) NOTICE OF MOTION AND
17) DEFENDANT'S MOTION TO COMPEL
18) DISCOVERY; TO WIT ANSWER
19) DEFINITELY DEFENDANT'S
20) DISCOVERY QUESTIONS

21) Date: TBA
22) Time: 9:30 a.m.
23) Dept.: 26

24 **STATEMENT OF THE FACTS**

25 The questions defendant demands being unequivocally answered from the People are the
26 following:

- 27 1. Have all Brady v. Maryland exculpatory materials been provided to the defense? and,
- 28 2. Has the prosecution disclosed all discussions with potential witnesses on the possibility
of leniency or consideration, even if no offer was actually made or accepted?

The defendant would cite again, having done so in prior pleadings,
People v. Westmorland (1976) 58 CA3d 32, 47, and consideration as defined by P.C. 1127 a
(d).

Respectfully Submitted,
Preciliano Martinez

Preciliano Martinez

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