

**CIRCUIT COURT, NINTH JUDICIAL
CIRCUIT, CRIMINAL JUSTICE DIVISION,
IN AND FOR OSCEOLA COUNTY, FLORIDA**

**CASE NO. 20CF000149AOS
DIVISION 201**

**STATE OF FLORIDA,
Plaintiff,**

vs.

**ANTHONY JOHN TODT,
Defendant.**

_____ /

NOTICE OF DISCOVERY

The Defendant, Anthony John Todt, by and through the undersigned counsel, respectfully demands that the Office of the State Attorney, within fifteen (15) days after service of this notice, disclose to defense counsel and permit defense counsel to inspect, copy, test and photograph or control the following information and material within the State's possession or control:

1. The names and addresses of any and all persons known to the prosecutor to have information which may be relevant to the offense charged and to any defense with respect thereto.
2. The statement of any and all persons whose name is furnished in compliance with the preceding paragraph. The term "statement," as used herein, includes a written statement made by said person and signed or otherwise adopted or approved by him. This shall include any and all statements of any kind or manner made by such 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.
3. Any written or recorded statements and the substance of any oral statements made by the accused, including a copy of any statements contained in the police reports or report summaries, together with the name and address of each witness to the statements. This should include, but not be limited to, statements taken from the accused.
4. Any written or recorded statements and the substance of any oral statements made by a co-defendant if the trial is to be a joint one.

5. Those portions of the recorded Grand Jury Minutes that contain testimony of the accused.
6. Any tangible papers or objects which were obtained from or belonged to the accused.
7. Whether the State has any material or information which has been provided by a confidential informant.
8. Whether there has been any electronic surveillance including wiretapping, of the premises of the accused or of conversations to which the accused was a party; and any documents relating thereto.
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 particular case, including results of physical or mental examinations and of scientific tests, experiments or comparisons.
11. Any tangible papers or objects which the prosecuting attorney intends to use in the hearing or trial which were not obtained from or belonged to the accused.
12. The prosecutor shall also disclose to the defense counsel any material information within the State's possession or control which tends to negate the guilt of the accused as to the offense charged.
13. To include all of the probation officers' reports, documents and statements filed to the Defendant's probation in the probationee's file, if applicable.
14. Any and all photographs taken of the Defendant or of any portion of his body connected with the alleged offense.
15. Any and all photographs taken of the crime scene and/or of the victim of the crime or otherwise relating to this case.
16. Any photographs which have been exhibited for the purpose of establishing the identity of the perpetrator of the crime.
17. Names and addresses of all persons who failed to identify the accused upon being presented with a photograph by officers investigating the case.
18. Any and all consideration or promises of consideration given to or made on behalf of State witnesses.
19. Any and all prosecutions, investigations, or possible prosecutions pending which could be brought against any witnesses and any probationary, parole or deferred prosecution status of the witnesses.

20. Any and all records and information revealing felony convictions attributed to each state's witness.

21. Any and all records and information showing prior misconduct or bad acts committed by the state's witnesses.

22. Any information tending to show that other persons, excluding the accused, were involved in the crime.

23. Any information that tends to show that the accused had consumed alcohol and/or drugs prior to the commission of the offense.

24. Any information that any of the state's witnesses had consumed alcohol and/or drugs prior to witnessing the events that gave rise to their respective testimony.

25. Any statements of witnesses which conflict either internally or with another statement of the same witness.

26. Any polygraph tests taken or not passed which raise some doubt as to any state's witnesses' credibility.

27. Any psychiatric, psychological, or mental evaluations taken by a state's witness or any evidence of psychiatric, psychological or mental treatment of any state's witness.

28. Any hypnosis given to any state's witness to assist that witness' memory for investigative or trial preparation purposes.

29. Any internal documents or other evidence of any law enforcement official's misfeasance, malfeasance or negligence whether by acts of omission or commission, in the performance of his/her duties, concerning this specific case.

30. Any evidence of the periodic destruction of any evidence such as a police department document retention policy.

31. The names and addresses of any individuals who were considered at any time during the case as possible suspects and the evidence that led to this conclusion.

32. "Mugshots", photographs or other physical evidence used but eliminated during the course of the investigation and the reasons for their discontinuance.

33. The names and addresses of other individuals who may have confessed to this crime or crimes with a similar modus operandi.

34. Any statement of a witness or other individual which presents or indicates a doubt as to the identity of the accused, the location of the crime, or the description of any tangible item

relevant to the charge.

35. Any evidence which indicates or tends to show that the decedent was a dangerous or turbulent character or was not a peaceful, law-abiding person.

36. Any evidence indicating that the decedent and the accused had had any argument, disagreement or fight prior to the time of the incident.

37. Any evidence that the accused acted in self-defense or was provoked by the alleged victim prior to the incident other than what has been previously provided.

38. Any evidence that indicates the decedent was an alcoholic or drug-dependent person.

39. Any evidence concerning the mental stability or personality characteristics of the decedent that may have led to the fight between the accused and the decedent.

40. Any evidence of behavior of Defendant while incarcerated.

41. Any evidence of alcohol or drug abuse of Defendant.

42. Any medical history of Defendant.

43. Any employment history of Defendant.

44. All psychological and psychiatric records of the Defendant including tests, observations, diagnosis and treatment.

45. The legal history of the Defendant including all arrests, dispositions, incarcerations, paroles, probations, and placements.

46. Any marital and family history of client and parents.

47. Any social history of Defendant.

48. Any alcohol, drug and legal history of Defendant's parents and siblings.

49. Any employment history of parents and siblings.

50. Any medical history of parents and siblings.

51. Any educational history of parents and siblings.

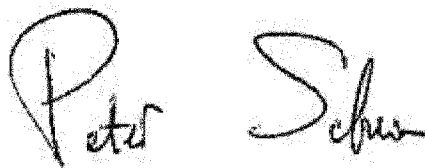
52. Any psychological history of parents and siblings.

53. Any marital history of parents.

54. Any marital history of the Defendant.

The above is requested pursuant to Florida Rule of Criminal Procedure 3.220(a)(1)(I) through (xi) and (2), inclusive.

ROBERT WESLEY
PUBLIC DEFENDER



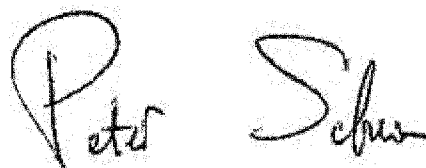
By: _____

Peter C. Schmer
Florida Bar No. 21611
Assistant Public Defender

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that this original document has been filed with the Clerk of Court via E-Portal and a copy hereof has been furnished by email to the Office of the State Attorney, 2 Courthouse Square, Kissimmee, Florida 34741, this the 5TH day of March, 2020.

ROBERT WESLEY
PUBLIC DEFENDER



By: _____

Peter C. Schmer
Florida Bar No. 21611
Assistant Public Defender
2 Courthouse Square, Suite 1600
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