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S T A T E O F M I C H I G A N
I N T H E C I R C U I T C O U R T F O R T H E C O U N T Y O F K E N T

PEOPLE OF THE
STATE OF MICHIGAN,

Plaintiff,

vs.

DANIEL ARTHUR TURNER AND

STEPHEN DENNIS TURNER,

Defendant.

Hon. Dennis C. Kolenda

Case Nos. 93-63014-FHA
93-63014-FHB

MOTION FOR DISCOVERY

NOTICE OF MOTION

PROOF OF SERVICE

KENT COUNTY PROSECUTORS OFFICE
Ms. Helen V. Brinkman (P-40233)
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KENT COUNTY OFFICE OF THE DEFENDER
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KRAUSE & ZAMBON, P.C.
Tonya L. Krause (P42056)
Attorney for Defendant STEPHEN TURNER
200 North Division
Grand Rapids, Michigan 49503
(616)456-7831

COPY

S T A T E . O F M I C H I G A N
IN THE CIRCUIT COURT FOR THE COUNTY OF KENT

PEOPLE OF THE
STATE OF MICHIGAN,

Plaintiff,

vs.

DANIEL ARTHUR TURNER AND

STEPHEN DENNIS TURNER,

Defendant.

Hon. Dennis C. Kolenda

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MOTION FOR DISCOVERY

NOW COME THE DEFENDANTS, DANIEL ARTHUR TURNER AND STEPHEN DENNIS TURNER, by and through their respective attorneys and hereby request this Honorable Court to grant their Motion for Discovery. In support of this Motion, the Defendants state as follows:

1. Defendant, DANIEL TURNER, is currently charged with Child Enticement, two counts of Criminal Sexual Conduct in the First Degree and as a third felony offender.

2. Defendant, STEPHEN TURNER, is currently charged with one count of Criminal Sexual Conduct in the First Degree and one count of Criminal Sexual Conduct in the Second Degree.

3. In order to prepare an adequate defense in the above-captioned causes, it is absolutely crucial that the prosecution and the police make a full disclosure and furnish copies of the

following relevant information sufficiently in advance of trial:

- a. copies of all police reports, detective bureau reports and witness interview forms, including but not limited to:
 - i) Detectives' and police officers' field notes including sketches made of the alleged crime scene.
 - ii) Any supplemental reports filed in reference to this case.
 - iii) Statements taken by Detective Karpowicz from Alisha Turner, Defendant, Stephen Turner's wife.
- b. Copies of all scientific and laboratory reports prepared and/or filed in this case including, but not limited to:
 - i) Fingerprint analysis.
 - ii) Results and analysis of genetic/DNA material.
 - iii) Blood analysis, blood typing or body fluid analysis.
 - iv) Results and analysis of "Rape Kit"
 - v) Results and analysis of any microscopic evidence i.e. hair, fiber, etc.
- c. Copies of all written witness statements.
- d. Production for listening, viewing, and inspection of any audio or video taped statements made by witnesses in this case to police officers and/or

prosecuting officials.

- e. Copies of all written statements made by either or both of the Defendants.
- f. Disclosure as to whether or not the Defendants made any oral statements and any written summary of said statements.
- g. Production for viewing of all tangible evidence in this case including, but not limited to: -
 - i) any charts, graphs or demonstrative evidence prepared in reference to this case.
 - ii) photographs taken of the alleged victim.
 - iii) photographs of the alleged crime scene.
 - iv) all items and evidence taken from 4130 Oak Park, SE, Apartment #204, Grand Rapids, Michigan, pursuant to the Search Warrant authorized by the Honorable Paul J. Sullivan as requested by Assistant Prosecuting Attorney, Helen V. Brinkman and Detective Christine L. Karpowicz.
- h. Any medical reports in reference to the alleged victim prepared as a result of the alleged incident and any treatment she received; including, but not limited to:
 - i) Results and analysis of "Rape Kit". *yes*
 - ii) Whether or not the alleged victim is participating in counseling and where.

*answered
yes or
no*

iii) The counselor's name, education, and expertise.

if yes, turned over to judge for camera inspection

- i. The name, area of practice and expertise, educational background, and curriculum vitae of any expert witness who will testify at trial including, but not limited to, physicians, nurses, medical personnel and rape counselors.
- j. Copies of any arrest and conviction records of all witnesses who will testify at trial, excluding police officers.
- k. Disclosure, at least five days prior to trial, as to which of the endorsed witnesses the prosecutor intends NOT to subpoena or produce for trial.
- l. All evidence or information in the possession of the police or the prosecutor which tends to exculpate the Defendants or which aids in the preparation of the defense.

4. This Court has the authority and discretion to order the Prosecutor to disclose to the Defendants all information which is material to the preparation of the Defendants' case.

5. The requested information should be tendered to defense counsel in a timely fashion sufficiently in advance of trial which is scheduled for October 4, 1993.

6. The State shall be under an ongoing duty to provide Defendants with discovery material as it becomes available.

WHEREFORE the Defendants pray this Honorable Court grant their

KRAUSE & ZAMBON, P.C.

Dated:

Aug 17, 1993

By:

Tonya L. Krause
Tonya L. Krause (P-42056)
Attorney for Defendant, S. TURNER

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing instrument was served upon Helen V. Brinkman of the Kent County Prosecutors Office by personally serving and/or mailing the same to his respective address of record with delivery fee prepaid thereon, on the 17th of August, 1993.

Krista M. Owens
Krista M. Owens