

**CHITTENDEN COUNTY
OFFICE OF THE PUBLIC DEFENDER**

November 30, 2022

Chittenden County State's Attorney
32 Cherry Street, Suite 305
Burlington, VT 05401

Re: State v. FULLER
Docket No: 22CR10135
State's Attorney: Sarah George
Incident #: 22BU017933
Investigator:

Dear State's Attorney:

Please disclose and make available for inspection or copying the following:

1. A list of the names and addresses of all witnesses now known to the State or which will become known to the State;
2. Any and all written and/or recorded statements of all witnesses within the possession or control of the State;
3. Any and all written or recorded statements and the substance of any oral statements made by the defendant or a co-defendant;
4. Any reports or statements of experts made in connection with the above case, including the results of physical or mental examination and of scientific tests, experiments or comparisons;
5. Any books, papers, documents, photographs (including motion pictures and video tapes), or tangible objects, buildings or places or copies or portions thereof, which are material to the preparation of the defense or which the State intends to use in a hearing or trial of this case or which were obtained from or belonged to the defendant;
6. The names and addresses of all witnesses who the State intends to call as witnesses at a hearing or trial in this case, together with any record of prior criminal convictions of any such witnesses, not only in the State of Vermont but throughout the United States;
7. Any record of prior criminal convictions of defendant;
8. Copies of electronic surveillance tapes of defendant, any co-defendant or any co-conspirator, or of his or her premises;
9. Any other material or information not protected from disclosure by being attorney work product or an informant's identity (except as provided by V.R.E. 509(c)), that is necessary to the preparation of the defense;
10. Any material or information within the possession or control of the State which tends to negate the guilt of the defendant as to the offense charged or would tend to reduce his or her punishment therefor;
11. Any material or information in the possession or control of the staff of the State's Attorney or of any others participating in the investigation or evaluation of the case, and who either regularly report to the Office of the State's Attorney, where such material and information is material and relevant to the prosecution of the defendant or if not material and relevant, may lead to the discovery of material and relevant information and evidence relating to the prosecution of the defendant and such material is not precluded from discovery to defendant under the provisions of Rule 16(d)(1);
12. Any evidence from informers, favorable or unfavorable to the defendant together with names and addresses of such informants promises, threats or grants of immunity offered to such informants by the

State's Attorney, members of his or her staff, or those who regularly report, or with reference to this particular case, report to the Office of the State's Attorney;

13. Any evidence or materials that have been seized belonging to defendant, co-defendant or co-conspirator from his or her premises, or from any person, place or premises in connection with this case;
14. All material, information and reports, whenever such material becomes known to the State's Attorney, and whenever it would have become known to the State's Attorney through the use of his or her reasonable diligence;
15. All victim advocates' communications with alleged victims and or witnesses;
16. Any police log or other electronic data regarding the incident alleged in the above case;
17. All materials and information, in any form including electronic, regarding any current internal investigation, disciplinary proceeding or other proceeding regarding improper conduct of any and all law enforcement personnel or witnesses, including but not limited to police officers, state troopers and 911 operators/dispatchers, who are involved in the investigation or prosecution of this case.
18. All materials and information, in any form including electronic, regarding any past internal investigation, disciplinary proceeding or other proceeding regarding improper conduct of any and all law enforcement personnel or witnesses, including but not limited to police officers, state troopers and 911 operators/dispatchers, that resulted in a finding of improper conduct.
19. Transcripts of any grand jury proceedings pertaining to the indictment of the defendant or of any inquest proceedings pertaining to the investigation of the defendant;
20. All reports or notes including "lead sheets," handwritten or otherwise of law enforcement or any other personnel connected with the investigation of this case.
21. All e-mail communications of law enforcement or any other personnel connected with investigation of these events, including messages sent by blackberry phones, smart phones, laptops, or otherwise.
22. If the defendant's computer has been seized, a duplicate of the hard drive of computer;
23. A copy of the search warrant and supporting affidavit, if any, authorizing seizure of any evidence relating to this case.
24. All photographs taken in connection with this case.
25. Any statement, written or recorded by the defendant.
26. A list of all physical evidence seized and the disposition of that evidence;
27. Any material on which scientific testing has been done or will be done.
28. Please preserve for inspection and testing all physical evidence relevant to the investigation of this case.
29. Please notify the Defendant if testing of evidence will consume that evidence.
30. The defense hereby adopts all state witnesses, whether listed on the state's witness list or named anywhere in discovery.
31. Pursuant to *Brady v. Maryland*, 373 U.S. 83 (1963) and *Giglio v. United States*, 405 U.S. 150 (1972), the State has an affirmative obligation to provide all exculpatory and impeachment evidence within its custody and control, including evidence from reporting agencies, such as law enforcement or any agency participating in the investigation of the crime such as the Department of Children and Families, for all trial witnesses both civilian and law enforcement. The Defendant hereby requests all such evidence.

Sincerely,

Sarah Varty, Esq.

SV/jh