

**VIRGINIA: IN THE GENERAL DISTRICT COURT FOR THE CITY OF
MARTINSVILLE**

COMMONWEALTH OF VIRGINIA,)
)
v.)
)
BRIAN DAVID HILL)
Defendant.)

CASE NO: C18-3138

MOTION FOR DISCOVERY BY DEFENDANT

COMES NOW the Defendant, BRIAN DAVID HILL, by Counsel, and moves this Honorable Court for the following, as provided by law and Rule 7C:5 of the Virginia Rules of Court:

1. That in accordance with said Rule, the Commonwealth's Attorney permit and make available to the Attorney for the Defendant for inspection, copying, or photographing any relevant (i) written or recorded statements or confessions made by the accused, or copies thereof, or the substance of any oral statements or confessions made by the accused to any law enforcement officer, and (ii) any criminal record of the accused that is known by the Commonwealth's Attorney to be within the possession, custody, or control of the Commonwealth; and

2. Any exculpatory information or evidence as set forth by *Brady v. Maryland* and its progeny that is known to the Commonwealth.

WHEREFORE, the Defendant prays that this Honorable Court order the Commonwealth's Attorney to provide the foregoing information.

Respectfully submitted,
BRIAN DAVID HILL

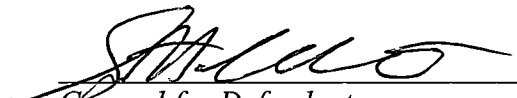

By Counsel

RECEIVED
DATE/TIME 11.28-15 11:00am
BY *D. Collier*
MARTINSVILLE GENERAL DISTRICT COURT

Scott Albrecht, Esq. (VSB #88411)
Office of the Public Defender
P.O. Drawer 31
Martinsville, VA 24114
T: (276) 666-2206 ext. 106
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salbrecht@mar.idc.virginia.gov
Counsel for Defendant

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing Motion was mailed, faxed or delivered this 28th day of November, 2018, to the office of G. Andrew Hall, Commonwealth's Attorney for the City of Martinsville.


Counsel for Defendant

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CASE NO: C18-3138

ORDER

This case came this day to be heard upon the written motion of the Defendant, BRIAN DAVID HILL, by counsel, who moved, pursuant to Rule 7C:5 of the Rules of the Supreme Court of Virginia, that the Commonwealth's Attorney be directed to permit the Defendant discovery in this case, as set forth in said Rule, and

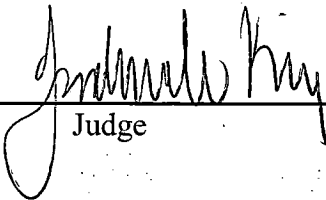
It appearing to the Court that discovery pursuant to Rule 7C:5 should be granted to the Defendant, it is hereby ORDERED and DECREED that the Commonwealth's Attorney permit counsel for the Defendant to inspect and copy or photograph, within a reasonable time, before the preliminary hearing, the following:

- (1) Any relevant written or recorded statements or confessions made by the Defendant, or copies thereof, or the substance of any oral statements or confessions made by the Defendant to any law enforcement officer, the existence of which is known to the attorney for the Commonwealth;
- (2) A copy of any criminal record of the accused; and
- (3) Any exculpatory information or evidence as set forth by *Brady v. Maryland* and its progeny that is known to the Commonwealth.

And it is further ADJUDGED, ORDERED and DECREED that the Commonwealth shall promptly notify counsel for the Defendant of the existence of any additional material

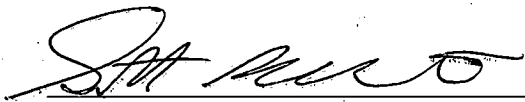
subsequently discovered which falls within the scope of this motion and make all such additional material available to the Defendant's attorney in accordance with the text and intention of this Motion.

ENTER this 28 day of November, 2018.



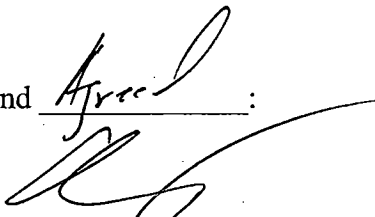
Judge

I ASK FOR THIS:



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salbrecht@mar.idc.virginia.gov
Counsel for Defendant

Michael McPherson
Retained for
Bond Hearing
10-12-18
9:45a

SEEN and Agreed :


Attorney for the Commonwealth
City of Martinsville, Virginia
P.O. Box 1311
Martinsville, VA 24112
T: (276) 403-5470

RECEIVED
DATE/TIME 11-28-18 11am
BY D. Collier D. Clark
MARTINSVILLE GENERAL DISTRICT COURT