

JEFFREY A. SWIERSKI (022296)
Swierski Law Office, PLLC

Phone
Fax

Attorney for Defendant

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA**

STATE OF ARIZONA

CR2025-007905-001DT

Plaintiff,

**REQUEST FOR AUTOMATIC &
ADDITIONAL DISCLOSURE
PURSUANT TO RULE 15.1**

LAURA OWENS (001),

(Assigned to the Master Calendar)

Defendant.

LAURA OWENS (001),

(Assigned to the Master Calendar)

Laura Owens, through counsel undersigned, moves that the prosecutor make available to the defendant for examination and reproduction the following material and information within prosecutor's possession or control now or in the future:

1. In addition to the following paragraphs, the defense requests these specific items of discovery:

None at this time

2. The names and addresses of all persons whom the prosecutor will call as witnesses in the case-in-chief together with their relevant written or recorded statements:

1 3. All statements of the defendant and of any person who will be tried with
2 defendant;

3 4. The names and addresses of experts who have personally examined a
4 defendant or any evidence in the particular case, together with the results of physical
5 examinations and of scientific tests, experiments or comparisons, including all written
6 reports or statements made by them in connection with the particular case;

7 5. A list of all papers, documents, photographs or tangible objects which the
8 prosecutor will use at trial or which were obtained from or purportedly belong to the
9 defendant, including any tapes, statements or conversations;

10 6. A list of all prior felony convictions of the defendant which the prosecutor will
11 use at trial, and means by which the prosecutor intends to prove such priors;

12 7. A list of all prior acts of the defendant which the prosecutor will use to prove
13 motive, intent, character or knowledge or otherwise use at trial, including for Rule 404(b)
14 purposes, the names and addresses of all witnesses which the prosecutor will use to prove the
15 act, the legal basis upon which the state believes the other act is admissible, and the issue at
16 trial to which it is purported to be relevant. See, State v. Lee, 189 Ariz. 590, 599, 944 P.2d
17 1204, 1213 (1997).

18 8. All material or information, whether or not in recorded form, in the possession
19 or knowledge of the state or its agents, including the investigating police agency, county
20 attorney's investigators and victim witness advocates, which tends to mitigate or negate the
21
22
23
24
25

1 defendant's guilt as to the offense charged, or which would tend to reduce defendant's
2 punishment¹, including but not limited to:

- 3 a. All prior felony convictions of witnesses which the prosecutor expects
4 to call at trial².
- 5 b. Any adult or juvenile charges against witnesses which are pending or
6 were dismissed after the commission of the offense³.
- 7 c. Whether or not the witnesses are now on adult or juvenile probation or
8 parole or were on probation or parole at the time of the incident⁴.
- 9 d. Copies of the witnesses' N.C.I.C., LEGIS, and F.B.I. sheets;
- 10 e. Evidence of any and all proffers of cooperation from or to co-
11 defendants, including notes from meetings related to the proffers, the
12 number of meetings held, who was present, the testimony that was
13 proffered at the initial meeting and the final proffer presented by the
14 witness along with any materials suggest a variation in the witnesses
15 testimony. *See U.S. v. Sudikoff*, 36 F.Supp.2d 1196 (C.D.Cal. 1999).
- 16 f. A copy of the entire plea agreement or contract of cooperation between
17 the state and any witness, whether or not under deal, and/or any written
18

20
21 ¹ *Brady v. Maryland*, 373 U.S. 83, 83 S.Ct. 1194 (1963); *Kyles v. Whitley*, 514 U.S. 419, 115
22 S.Ct. 15555 (1995).

23 ² *Giglio v. United States*, 405 U.S. 150, 92 S.Ct. 763 (1972); *State v. Morales*, 120 Ariz. 517,
24 587 P.2d 236 (1978); *Davis v. Alaska*, 415 U.S. 308, 94 S.Ct. 1105 (1974).

³ *State v. Swinburne*, 116 Ariz. 403, 569 P.2d 833 (1977); *State v. Torres*, 97 Ariz. 364, 400
25 P.2d 843 (1965).

⁴ *State v. Van Den Berg*, 161 Ariz. 192, 791 P.2d 1075 (1990).

1 contract of cooperation between a state's witness and any law
2 enforcement agency, including promises or things of value not
3 contained in the document itself. Things of value include, but are not
4 limited to, money, housing, protection for themselves or their families,
5 cars, transportation of any kind, drugs or medicines (prescribed or not),
6 special treatment while in custody (e.g., phone calls, meals, conjugal or
7 other visits, etc, which are not ordinarily permitted for other inmates)
8 and any other consideration toward charges or sentencing which do not
9 appear in their plea agreement or contract of cooperation.
10

11 g. Whether any witness has any history of mental illness or drug addiction,
12 and whether the state has had any witness examined by any type of
13 expert, medical or otherwise.

14 h. Whether the witness has taken a polygraph or has refused a polygraph
15 examination. If a polygraph examination has been taken, then the
16 defense asks the state to disclose the results of that examination,
17 including the questions asked, any questions determined not to be
18 truthful or equivocal, and the name and address of the person
19 administering the examination.

20 i. All information regarding anything of value given or promised to any
21 friend or relative of any witness noticed by the state.

23 9. Whether there has been any electronic surveillance of any conversations to
24 which the accused was a party, or of his business or residence;
25

1 10. Whether a search warrant has been executed in connection with the case;

2 11. Whether or not the case has involved an informant; and if so, his identity if the

3 defendant is entitled to know either or both of these facts under Rule 15.4(b)(2);

4 12. A list of all felony convictions of all witnesses the State will call at trial and a

5 list of all felony convictions of all disclosed defense witnesses;

6 13. All written or otherwise recorded statements of any witness disclosed by the

7 State, including but not limited to statements made to Victim Assistance caseworkers

8 and/or volunteers; and any statements made by the disclosed witnesses at any prior grand

9 jury proceedings pertaining to the current charges against the defendant, whether or not

10 they resulted in a true bill.

12 14. Whether there have been any contact between any witness and any caseworker

13 and/or volunteer of any victim/witness assistance program and the name, address and

14 telephone number of such caseworkers and/or volunteers.

15 15. Pursuant to 15.1(d), the defense requests disclosure of the names of any law

16 enforcement agencies involved in the investigation or evaluation of the case, together with

17 the names of any persons with those agencies, including but not limited to assistant attorney

18 general, deputy county attorneys and/or their investigators, that were present at the scene of

20 the crime during the arrest of the defendant, and/or the execution of a warrant, the seizure of

21 any evidence, and/or were present for the taking of any statements from any persons whether

22 or not named in a police or investigative report, along with their relevant written or recorded

23 statements. *See Comment, Ariz.R. Crim. Pro. 15.1(d).*

24

25

16. Assure that non-lawyers are not making legal decisions, the prosecuting attorney is hereby requested to review all material and gather all information in the possession of their agents, including the investigating police agency, prosecuting attorney's investigators and the victim rights advocates, and make the disclosure decisions themselves. *See Kyles v. Whitley*, 514 U.S. 419, 115 S.Ct. 1555 (1995).

RESPECTFULLY SUBMITTED this 20th day of January, 2026.

By //s// Jeffrey A. Swierski

Jeffrey A. Swierski
Attorney for Defendant

ORIGINAL of the foregoing filed
And copies of the delivered
this 20th day of
January, 2026, to:

Master Calendar
Maricopa County Superior Court

Mr. Ed Leiter
Maricopa County Attorney's Office

By //s// Jeffrey A. Swierski