**In the Iowa District Court for Polk County**

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| **State of Iowa,**  *Plaintiff*,  v.  **,**  *Defendant*. | **Criminal No:**  **Response to Motion to Produce, Request for Reciprocal Discovery and Protective order**  *Defendant is in custody* |

**Comes Now** the State of Iowa and in response to a defendant Motion to Produce states:

1. The State will voluntarily disclose Mandatory Discovery materials as set out in Iowa R. Crim. P. 2.14(2)(a) and exculpatory or impeachment evidence as set out in Brady v. Maryland, 373 U.S. 83, 83, S.Ct.1194 (1963).
2. The State resists court-ordered disclosure of Discretional Discovery. Defendant has not shown sufficient cause to warrant a court order under Iowa R. Crim. P. 2.14(2)(b).
3. Alternatively, if the court orders Discretionary Discovery, the State requests the court also order Reciprocal Discovery as set out in Iowa R. Crim. P. 2.14(3).
4. Further, since discovery materials often include confidential and privileged information (e.g. witnesses’ dates of birth, social security numbers, and/or records of medical treatment), the State requests, pursuant to Iowa R. Crim. P. 2.14(6)(a), a protective order barring re-disclosure of any matters which would previously have been confidential and/or privileged under Iowa law.

**Wherefore** the State requests the Court deny the Motion to Produce but enter a protective order barring re-disclosure of any discovery materials which would previously have been confidential and/or privileged under Iowa law.

**In the Alternative**, if the Court orders Discretionary Discovery, the State requests the court order Reciprocal Discovery as set out in Iowa R. Crim. P. 2.14(3) and enter a protective order barring re-disclosure of any matters produced which would previously have been confidential and/or privileged under Iowa law.

**In the Alternative**, the State requests the court set a hearing on these matters.

Respectfully submitted,

By: /s/ Assigned Prosecutor

Assigned Prosecutor

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