

PRETRIAL DECISION TREE

February 17, 2026 Conference — Page 1 of 3: Overview & Carpenter Motion

COLOR KEY:



Favorable / Granted



Unfavorable / Denied



Neutral / Delayed



Action Item



Verdict

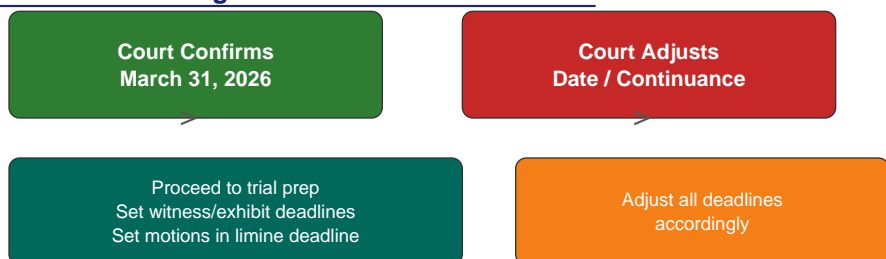


Appell

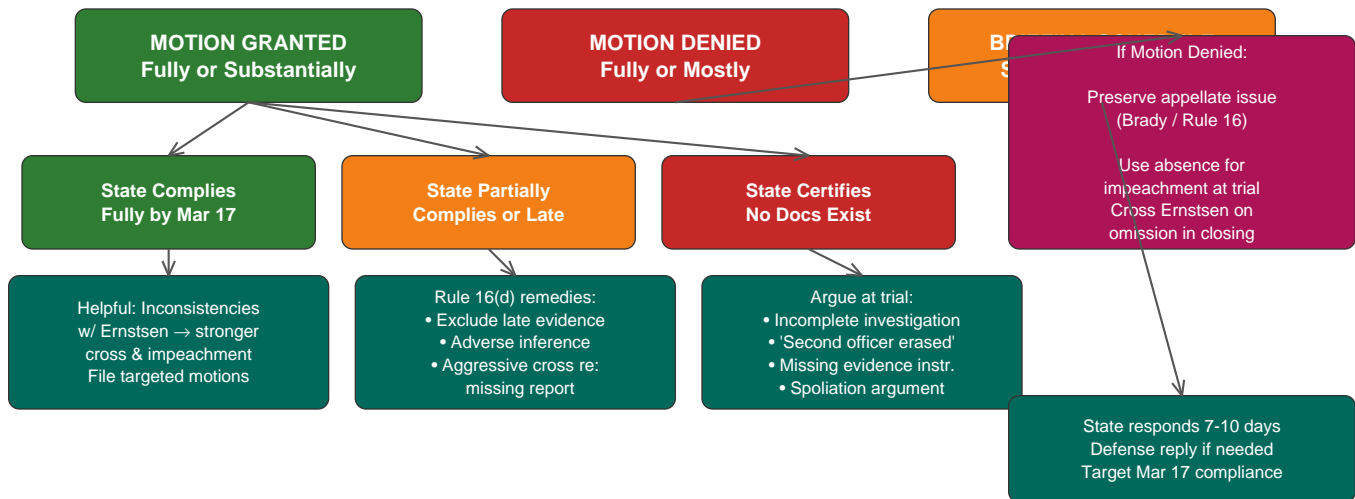
PRETRIAL CONFERENCE — Feb 17, 2026 6 Issues to Address



ISSUE 1: Trial Setting & Readiness



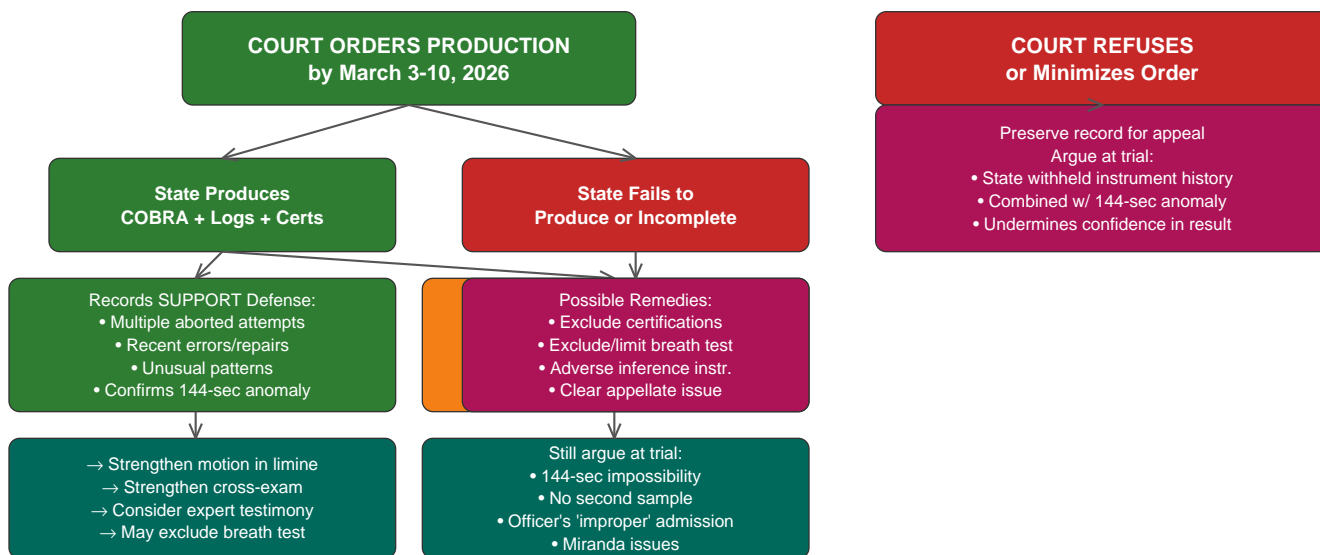
ISSUE 2: Motion to Compel — Trooper Carpenter



PRETRIAL DECISION TREE

February 17, 2026 Conference — Page 2 of 3: Intoxilyzer & Jury Instructions

ISSUE 3: Intoxilyzer Discovery — COBRA / Logs / Certifications



ISSUE 4: Jury Instructions — 'Affirmative Findings' Dispute



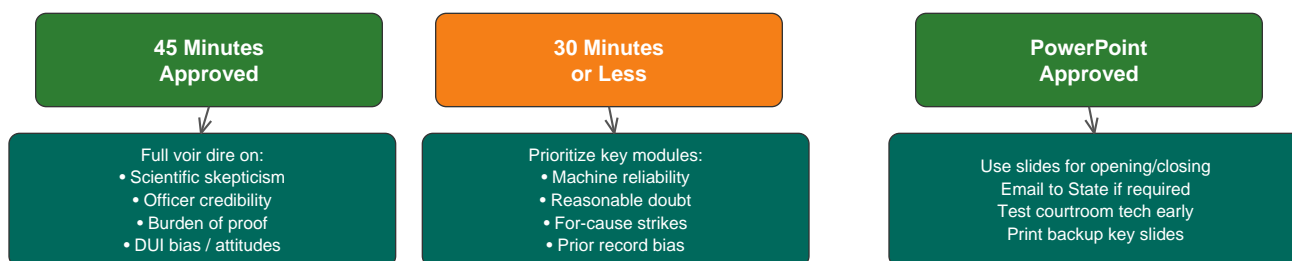
PRETRIAL DECISION TREE

February 17, 2026 Conference — Page 3 of 3: Bifurcation, Voir Dire & Summary

ISSUE 5: Enhancement / Bifurcation (Prior Conviction)



ISSUE 6: Voir Dire Time & Courtroom Technology



PRETRIAL SUMMARY: What You Want the Court to Do

1. Confirm March 31, 2026 trial date; set witness/exhibit and motions in limine deadlines.
2. Grant Motion to Compel re: Carpenter — production by March 17 or written certification.
3. Order Intoxilyzer discovery (COBRA, logs, certs) by March 3-10; sanctions if not produced.
4. Reject State's 'affirmative findings' instruction OR set instruction conference before trial.
5. Grant bifurcation of enhancement OR issue limiting instruction on prior conviction.
6. Approve 45 min voir dire and PowerPoint use at trial; clarify courtroom tech setup.

RECORD PRESERVATION: If any issue is denied or deferred, state on the record:

"I am preserving my Motion to Compel (Carpenter), my objections to the affirmative findings instruction under State v. Bradley, my request for Defense Instructions #6, 7, 8, 10, 11, my request for bifurcation under Rule 404(b), and my demand for COBRA data and Intoxilyzer logs. I will renew all at trial."