

**IN THE CIRCUIT COURT, NINTH JUDICIAL  
CIRCUIT, CRIMINAL JUSTICE DIVISION,  
IN AND FOR ORANGE COUNTY, FLORIDA**

**STATE OF FLORIDA,  
Plaintiff,**

**CASE NO. 22CF000688AOR  
DIVISION 12**

**vs.**

**KELLI RENEE LYNCH,  
Defendant.**

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**DEFENDANT'S NOTICE OF INTENT TO PARTICIPATE IN DISCOVERY AND  
DEMAND FOR FAVORABLE AND IMPEACHMENT INFORMATION IN  
ACCORDANCE WITH BRADY**

The Defendant, Kelli Renee Lynch, pursuant to Rule 3.220 Florida Rules of Criminal Procedure, hereby gives notice of his intent to participate in discovery and requests that the State of Florida disclose to the defendant and permit the defendant to inspect, copy, test and photograph the following information and material within the state's possession or control within 15 days after service of this Notice:

1. A list of the names and addresses of all persons known to the prosecutor to have information that may be relevant to any offense charged or any defense thereto, to any similar fact evidence to be presented at trial under section 90.404(2), Florida Statutes.
2. The statement of any person whose name is furnished in compliance with the preceding subdivision. The term "statement" as used herein includes a written statement made by the person and signed or otherwise adopted or approved by the person and also includes any statement of any kind or manner made by the person and written or recorded or summarized in any writing or recording made to anyone regarding this case. The term "statement" is specifically intended to include all police and investigative reports of any kind prepared for or in connection with the case.
3. Any written or recorded statements and the substance of any oral statements made by the defendant, including a copy of any statements contained in police reports or report summaries, together with the name and address of each witness to the statements.

4. Any written or recorded statements and the substance of any oral statements made by a codefendant.
5. Those portions of recorded grand jury minutes that contain testimony of the defendant.
6. Any tangible papers or objects that were obtained from or belonged to the defendant.
7. Whether the state has any material or information that has been provided by a confidential informant. Whether there has been any electronic surveillance, including wiretapping, of the premises of the defendant or of conversations to which the defendant was a party and any documents relating thereto.
8. Whether there has been any search or seizure and any documents relating thereto. Reports or statements of experts made in connection with the particular case, including results of physical or mental examinations and of scientific tests, experiments, or comparisons.
9. Any tangible papers or objects that the prosecuting attorney intends to use in the hearing or trial and that were not obtained from or that did not belong to the defendant.
10. Any tangible paper, objects or substances in the possession of law enforcement that could be tested for DNA.
11. Any material information within the state's possession or control (constructive or actual) that tends to negate the guilt of the defendant as to any offense directly or indirectly charged.
12. All evidence in the actual or constructive possession of the State that is exculpatory or can be used as impeachment evidence. *See Brady v. Maryland*, 373 U.S. 83 (1963); *see also Kyles v. Whitley*, 514 U.S. 419 (1995); *United States v. Bagley*, 473 U.S. 667 (1985); *Giglio v. United States*, 405 U.S. 150 (1972). This type of evidence includes the following:
  - A. All information that can be used to mitigate crimes that the Defendant is directly or indirectly accused of committing.
  - B. Any oral, written or recorded statements made by any person(s) to the police, to the State Attorney, or to a Grand Jury that tends to establish the innocence or mitigate the punishment of the Defendant or that tends to

impeach the credibility or contradict the testimony of any witness whom the State may call during this case.

- C. Any reports made to the police that tend to establish the innocence or mitigate the punishment of the Defendant or tends to impeach the credibility or contradict the testimony of any witness whom the State may call as a witness during this case.
- D. The names and addresses of witnesses who might establish the innocence or mitigate the punishment of the Defendant or impeach the credibility or contradict the testimony of any witness whom the State may call as a witness during this case.
- E. The substance of any and all statements, agreements, offers or discussions had with any state witnesses, including suggestion of lenience, compensation, assurance not to prosecute, assurance to proceed only on certain causes, or suggestion(s) of any other benefit accruing to said individual whatsoever in exchange for their cooperation, assistance of testimony in the case herein.
- F. The substance of any and all consideration or promise( s) of consideration given to or made on behalf of government witnesses, and specifically an offer of absolutely anything of value or use including but not limited to money, immunity grants, witness fees, special witness fees, transportation assistance, assistance or favorable treatment with respect to any criminal, civil, tax court, or administrative dispute, and anything else which could arguably create an interest, incentive or bias in the witness in favor of the state or against the defense or that could reasonably act as an inducement to testify or to color testimony.
- G. Any and all prosecutions, investigations or possible prosecutions pending or which could be brought against any witness that testifies for the State in this case, and any probationary, parole or deferred prosecution status of any state witness.
- H. Information revealing felony convictions or crimes involving dishonesty that are attributed to State witnesses.

- I. The identities of persons who have provided information relevant to this case and who have received any form of compensation (including "CrimeLine" or equivalent programs).
- J. The most recent sentencing score sheet prepared in the case against the Defendant which the State intends to use at sentencing.
- K. All material evidence or information in the State's possession or control (constructive or actual) that may reasonably be considered admissible and useful to the defense in the sense that it is probably material and exculpatory regardless of whether such information is deemed to be the work product of the prosecutor or otherwise subject to discovery as a "public record" under Chapter 119, Florida Statutes.

WHEREFORE, the Defendant hereby gives Notice of Intent to Participate in Discovery and requests disclosure of the above-stated information within 15 days of the date of this Notice.

ROBERT WESLEY  
PUBLIC DEFENDER

By:



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Andrew Clark  
Florida Bar No. 829331  
Assistant Public Defender

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that this original document has been E-Filed with the Clerk of Court through the E-Portal and a copy of the foregoing has been E-Served to the Office of the State Attorney, on April 14, 2022.

ROBERT WESLEY  
PUBLIC DEFENDER

By:



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