***The Stabile Law Firm, LLC*\***

**97 Main Street, Suite 208**

**Woodbridge, New Jersey 07095**

**Scheduling 1-732-602-7795**

**Facsimile 561-330-4207**

Fax

To: Court Administrator From: Law Office

Fax: {{fax\_number}} Pages: 4

Phone: Date: {{todays\_date}}

Re: Rep / Adj Letter CC:

o Urgent o For Review o Please Comment o Please Reply o Please Recycle

Comments:

Please see the following letter.

Thank You

**The Stabile Law Firm, LLC**

97 MAIN STREET

SUITE 208

WOODBRIDGE, NEW JERSEY 07095

**STEVE STABILE, ESQ.\*\*\*\* ¨¨¨**

## SCHEDULING: 732-602-7795

## Of Counsel: FAX: (561) 330-4207

## DAVID TIDER, ESQ.\*

## RICHARD PRESTON, ESQ\* [www.stabilelawfirm.com](http://www.stabilelawfirm.com/)

**THOMAS GOMBAR, ESQ.\***

**SCOTT FORSCHEIN, ESQ.\*\*\* E-Mail:** [**lawgroupmail@yahoo.com**](mailto:lawgroupmail@yahoo.com)

***\* licensed in NJ***

***\*\* licensed in NJ/NY***

***\*\*\*\* licensed in NJ/NY/PA/DC***

**Hablamos Español – Falamos PortuguêsParliamo Italiano - Nous Parlons Français**

{{todays\_date}}

{{court\_house\_name}}

{{court\_house\_street}}

{{court\_house\_city}}, {{court\_house\_state}}

**Re: State vs. {{client\_name}}**

**Summons/Complaint No.: {{complaint\_number}}**

Dear Prosecutor:

Please be advised our office has been retained by the Defendant, **{{client\_name}}** to represent him/her in the above-captioned matter, with regard to a charge in violation of 39:4-50 issued on or about **{{incident\_date}}.** At this time, I hereby request the following items as pretrial discovery in accordance with the Rules of Court and the applicable case law: (please refer to R. 3:13-3 and R. 7:7-7).

1. Statement as to probable cause. (See Delaware v. Prouse, 440 U.S. 648 (1979));
2. Exact location where Defendant’s vehicle was allegedly observed in violation of Title 39 or any other law or local ordinance;
3. Name, make, serial number and manufacturers address and telephone number of any radar units used to test the alleged speed of Defendant’s vehicle;
4. Before and after speedometer calibration certificates;
5. Name and address of any medical personnel that may have examined the Defendant in connection with this matter;
6. Copies of any results or reports of physical or mental examinations and of specific tests or experiments made in connection with this matter;
7. Name and address of all proposed expert witnesses;
8. Copies of any and all reports of proposed expert witnesses;
9. All records of alleged statements or confessions, whether written or oral, made by the Defendant;
10. All records or reports of prior convictions of the Defendant, if any, including but not limited to certified abstracts, proofs of mailings or other official notices;
11. Any and all photographs or drawings or video taken or made in connection with this matter as well as an offer of proof as to the authentication of same;
12. All police reports and/or memoranda made, including the date and time said items were prepared;
13. Name and address of any person who is known to have relevant evidence and/or any information, including designation as to which of those persons may be called by the State as witnesses against the Defendant;
14. Name and shield number of any police personnel that was present or later showed up at the scene where the Defendant was stopped;
15. All laboratory reports made in connection with this matter;
16. All evidence that the State intends to present to establish chain of evidence custody in this matter;
17. Copies of any official documents which the State wishes to introduce to show the qualifications of any witnesses or the operation of any equipment used in preparation of the State’s case, including but not limited to, licenses, certifications, and calibration records;
18. Copies of any motor vehicle recordings (MVR) from the arresting officer’s police cruiser or any other responding officer’s police cruiser in connection to this matter;
19. New Jersey State Police and Draeger manuals, including operation, service, and technical manuals, for the Alcotest 7110 MK-III-C and calibrating unit CU-34. (See State v. Ford, 240 N.J. Super. 44, 51 (App. Div. 1990));
20. Copies of all data generated by the Alcotest 7110 used to test Defendant’s breath;
21. All sequentially numbered files in the random-access memory and downloaded to read-only memory (including alcohol influence report, calibration, control, linearity, solution change, and any and all other tests) for the calibration cycles, including the calibration cycle of which the Defendant’s breath tests are a part, in a digital format readable in a program generally available to consumers in the open market, also known as digital downloads. (See State v. Chun, 194 N.J. 54, 153 (2008) (Order at par. 3B and par 3C(1), (6), and (9));
22. Maintenance and repair records for the Alcotest, including packing slips, repair reports, interoffice communications, memoranda, and other documents exchanged:
    1. Within the police department; and
    2. Between this department and New Jersey state agencies and Draeger. (See State v. Chun, 194 N.J. at 145, n. 48);
23. All video or surveillance recordings showing the room within which the Alcotest was house for, and at the time of, the Defendant’s breath tests;
24. All dispatch records relevant to the Defendant’s case, and jail and station logs showing the movements of the Alcotest operator and the Defendant;
25. All cellular telephone bills for the cellular phones used by the arresting officer, Alcotest operator, and any other person in the room with the Alcotest was conducted, and radio transmission logs for the time the Defendant was in custody;
26. Alcotest operator certification replica card;
27. Breathalyzer coordinator instructor’s credentials, including Alcotest operator certification replica card and letter of appointment from the Attorney General;
28. Written notice from either the operator or the police or executive head of law enforcement agency concerning lost or replaced credentials;
29. Any evidence that the State has in its possession or has knowledge of which may be exculpatory to the Defendant; and
30. Any and all evidence not specifically requested above which the State intends to introduce at the time of trial.

It is understood that any discovery not granted may be excluded at the time of trial on Defense Counsel’s motion. It is further understood that reciprocal discovery will be given to the State in accordance with R. 3:13-3(b) only upon written request for the same.

Kindly advise the amount necessary to cover costs involved in compiling the above information. Upon advising of the amount due, my office will immediately forward payment. Your prompt and considerate attention to this matter is greatly appreciated.

Very truly yours,

/s/Steve Stabile, Esq.\_\_

The Stabile Law Firm, LLC