

February 21 2024 10:00 AM

CONSTANCE R. WHITE
COUNTY CLERK

Next Proceeding: 03/06/24 01:30 PM OMNIBUS HEARING
Prosecutor: STEPHANIE ROBERTS

**IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF PIERCE**

STATE OF WASHINGTON,

Plaintiff,

vs.

MIGUEL MAURICE CARNEY

Defendant.

No. 21-1-03000-7

NOTICE OF APPEARANCE AND DEMAND
FOR DISCOVERY

TO: Clerk of the Superior Court
AND TO: Pierce County Prosecuting Attorney

PLEASE TAKE NOTICE that the above-named defendant appears in the above-entitled action by and through his/her assigned counsel of record:

MICHAEL S. CARPENTER
WSBA #23620
5800 Soundview Drive Suite C101

Gig Harbor, WA 98335
Phone: (253)858-7308
E-mail: m.carpenterlaw@gmail.com

PURSUANT TO CrR 4.7, YOU ARE REQUESTED to provide all discovery materials to defense counsel at the address shown above. As required by CrR 4.7(a)(3), *Brady v. Maryland*, 373 U.S. 83 (1963), *U.S. v. Bagley*, 473 U.S. 667 (1985), *U.S.v. Agurs*, 427 U.S. 97 (1976) and *Kyles v. Whitley*, 514 U.S. 419 (1995), all material which is exculpatory, which tends to negate defendant's guilt or which will assist the defense in any way, such as in cross-examining or impeaching state's witnesses, must also be provided. Pursuant to *Kyles*, the State is obliged to discover the existence of all material or favorable evidence requested above that may be known to any law enforcement agency that is involved in this case or that has past dealings with any witnesses in this case.

NOTICE OF APPEARANCE AND DEMAND
FOR DISCOVERY - 1 ntaprsupdac-0010.pdf

Department of Assigned Counsel
949 Market Street, Suite 334
Tacoma, Washington 98402-3696
Telephone: (253) 798-6062

YOU ARE FURTHER REQUESTED to preserve all physical evidence relating to the alleged offense and the scene of the alleged crime, and the defendant's arrest and detention, including, but not limited to, police communications, 911 recordings, and video recordings, until final disposition of this cause or until further order of this Court. Request is made pursuant to *State v. Boyd*, 29 Wn.App. 584(1981) and *U.S. v. Agurs*, 427 U.S. 97, 49 L.Ed.2d 342 (1976). This request includes, but is not limited to, all police video recordings, including on-board police car video, and detention cell video.

DATED: 21 day of February, 2024

A handwritten signature in black ink, reading "Michael R. Kawamura". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

MICHAEL R. KAWAMURA
WSBA #17202
Director-Department of Assigned Counsel
949 Market Street, Suite 334
Tacoma, WA 98402