

REC'D & FILED
MASON CO. WA.

2021 JAN 13 P 3:46

SHARON K. FOGO CO. CLERK

BY ag^b DEPUTY

IN THE SUPERIOR COURT OF WASHINGTON
IN AND FOR MASON COUNTY

STATE OF WASHINGTON,

Plaintiff,

vs.

BRANDON JON HARDING

Defendant.

NO. 20-1-00456-23

PLAINTIFF'S OMNIBUS
APPLICATION

20-1-00456-23
OMAPA 12
Omnibus Application of Prosecuting Attorney
9584330



I. The State of Washington makes the applications or motions checked:

1. Defendant to state the general nature of defendant's defense.
2. Defendant to state whether or not defendant will rely on an alibi and, if so, to furnish a list of defendant's alibi witnesses and their addresses.
3. Defendant to state whether or not the defendant will rely on a defense of insanity or diminished capacity at the time of the offense.
 - (a). If so, defendant to supply the name(s) of the defendant's witness(es) on the issue, both lay and professional.
 - (b). If so, defendant to permit the prosecution to inspect and copy all medical reports under the control of the defendant or defendant's lawyer.

12

(c). Defendant will also state whether or not defendant will submit to a psychiatric examination by a doctor selected by the prosecutor.

(d). Defendant to provide the state with a list of the qualifications of the witness.

4. Defendant to furnish results of scientific tests, experiments or comparisons and the names of persons who conducted the tests and their qualifications.
5. Defendant to appear in a line-up.
6. Defendant to speak for voice identification by witnesses.
7. Defendant to be fingerprinted.
8. Defendant to pose for photographs (not involving reenactment of the crime).
9. Defendant to try on articles of clothing.
10. Defendant to permit taking of specimens of material under fingernails.
11. Defendant to permit taking samples of blood, hair, and other materials of the body which involve no unreasonable intrusion.
12. Defendant to provide samples of defendant's handwriting.
13. Defendant to submit to a physical external inspection of defendant's body.
14. Defendant to state whether there is any claim of incompetency to stand trial.
15. For discovery of the names and addresses of defendant's witnesses and their statements.
16. To inspect physical or documentary evidence in possession of the defendant or defendant's lawyer.
17. To take deposition(s) of the following witnesses:

18. To secure the appearance of a witness at trial or hearing:
19. Defendant to state whether defendant's prior convictions will be stipulated or need to be proved.
20. Defendant to state whether defendant will stipulate to the continuous chain of custody of evidence from acquisition to trial.
21. The defendant is put on notice that the following additional charges will be filed prior to trial if this matter is not resolved by plea on or before the pre-trial date:
22. For a child hearsay hearing pursuant to RCW 9A.44.120.

II. The State makes the following representations:

(a). The State may call as witnesses:

NAME	AGENCY/ ADDRESS	PHONE
Deputy Sheriff Jesse Ogden	Mason County Sheriff's Office 322 N. 3rd Street Shelton, WA 98584	(360) 427-9670
Deputy Sheriff Dion Johnson	Mason County Sheriff's Office 322 N. 3rd Street Shelton, WA 98584	
Sergeant William Reed	Mason County Sheriff's Office 322 N. 3rd Street Shelton, WA 98584	(360) 427-9670 Ext 313
Deputy Sheriff Brian Spera	Mason County Sheriff's Office 322 N. 3rd Street Shelton, WA 98584	(360) 427-9670
Tristina M Harding	611 E Country Club Drive East Union WA 98592	(360) 535-4467
James McClure	590 E Country Club Drive East Union WA 98592	
Forensic Scientist (TBD)	Washington State Patrol Tacoma Crime Laboratory 2502 112 th St E Tacoma, WA 98445	(253) 538-3248

Any person listed in the police reports may be called as a witness.

(b). The State is aware of the following convictions of persons it intends to call as witnesses:

None

(c). The following exhibits obtained, seized or prepared as indicated may be offered in the State's case-in-chief:

<u>EXHIBIT</u>	<u>SOURCE</u>
Photographs	MCSO
DV Supplement	Victim/MCSO
Recorded Statement	Witnesses/MCSO
911 / CAD	MCSO
Sexual Assault Kit / Report	

(d). The results of the following scientific tests, experiments or comparisons may be offered in the State's case-in-chief through the witnesses indicated:

<u>TEST</u>	<u>WITNESS</u>
Sexual Assault Examination Kit	TBD- Tacoma Crime Lab

(e). If the defendant testifies at trial, the State may offer evidence of the following prior convictions:

	Crime	Date of Crime	Date of Sentence	Sentencing Court (county & state)	A or J Class
1	Malicious Mischief in the Second Degree	04-02-2016	01-30-2019	Kitsap	A-FC
2	Theft in the Third Degree	01-30-2012	02-13-2012	Kitsap	J-GM
3	Theft in the Third Degree	08-08-2011	12-12-2011	Kitsap	J-GM
4	Assault in the Fourth Degree - DV	09-30-2010	08-09-2011	Kitsap	J-GM
5	Malicious Mischief in the Third Degree - DV	09-30-2010	08-09-2011	Kitsap	J-GM
6	Marijuana Possession Less than 40Gr	09-30-2010	08-09-2011	Kitsap	J-GM
7	Recreational Fishing in the Second Degree	11-22-2015	01-31-2017	Kitsap District	A-GM
8	Recreational Fishing in the Second Degree	11-22-2015	01-31-2017	Kitsap District	A-GM

9	Theft in the Third Degree	09-14-2012	02-27-2014	Kitsap District	A-GM
---	---------------------------	------------	------------	-----------------	------

(f). The State is in possession of or is aware of, the following evidence favorable to the defendant on the issue of guilt:

None

(g) The State is aware of:

written statements by the defendant

oral statements by the defendant


these statements may be offered into evidence.

The estimated length of trial is 1 ½ days.

Date: January 13, 2021

MICHAEL K DORCY
Prosecuting Attorney

By:



Tyler C. Bickerton,
WSBA #47990
Deputy Prosecuting Attorney