

(4) JAN 20 2021

Superior Court of WA
Sharon Fogo

20-1-00456-23
00R 14
Omnibus Order
9630463



SUPERIOR COURT OF WASHINGTON
FOR MASON COUNTY

EX-PARTE

STATE OF WASHINGTON,

Plaintiff,

vs.

Brandon Harding
Defendant.

NO.

20-1-456-23

CONSOLIDATED OMNIBUS ORDER

Current Trial Date: ___/___/___

3.5 / 3.6 Hearing: ___/___/___

Child Hearsay Hearing: ___/___/___

At the conclusion of the omnibus hearing, the parties submit the following stipulations and the Court orders the following:

☒ Type and Length of Trial. The trial will be a ☒ jury ☐ bench trial, estimated to last 5 days.

☒ Defenses. Defendant declares that the following defenses ~~will~~ may be asserted at trial:

☒ General denial

☐ Self Defense

☐ Insanity

☐ Diminished Capacity

☐ Alibi (Alibi witnesses must be specifically identified)

☒ Unwitting Possession of Controlled Substance

☒ Consent by the complaining witness

☐ Other _____

☒ Stipulations. The defendant stipulates as follows:

☒ No stipulations at this time

☐ The defendant's following prior convictions are admissible. List prior convictions: _____

☐ The chain of custody is continuous from acquisition to trial for the following evidence: _____

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☐ Severance.

☐ Motion for severance of defendants for trial is ☐ granted
☐ denied as follows: _____

☐ Motion for severance of counts for trial is ☐ granted
☐ denied as follows: _____

☒ Defendant's Statements. Disclosure of all oral, written, or recorded statements made by the defendant to investigating officers or to third parties in the plaintiff's possession:

☒ Have been provided. — **NONE TAKEN**

☒ Shall be provided no later than _____

☒ Witness Identification. The name, address and other contact information of each person whom either side intends to call as a witness, and any written or recorded statement or the substance of any oral statement made by said person:

☒ Have been provided to opposing party.

☐ Shall be provided no later than _____

☒ Criminal History. Any record known to the plaintiff or prior criminal convictions of the defendant or of persons the plaintiff intends to call as witnesses:

☒ Have been provided.

☒ Shall be provided by no later than _____

☒ Expert Witnesses. The name and address of each person the plaintiff and defendant will call as an expert witness, together with the subject of the witness's testimony, plus copies of any reports or statements submitted by the expert in connection with this case, including results of physical or mental examinations and scientific tests, experiments or comparison:

☒ Have been provided to opposing party.

☒ Shall be provided no later than _____

*State's DNA Expert to be provided with results
Defense seeking medical expert*

☒ Physical and Documentary Evidence. Identification of all physical and documentary evidence in each party's possession, and the opportunity to inspect and copy:

☒ Have been provided to opposing party.

☒ Shall be provided no later than _____

☐ Informants. The plaintiff declares:

☐ No informant was involved.

☐ An informant was involved but privilege from disclosure is claimed.

☐ The name of the informant is identified in the discovery.

☒ Additional Disclosures. The plaintiff has disclosed:

☒ All material known to the prosecuting attorney which tends to negate the defendant's guilt. ☒ None

☐ All evidence of electronic surveillance of the defendant.

☐ None

☐ Any information known to the prosecuting attorney indicating entrapment of the defendant. ☐ None

☐ Any ER 404(b) evidence of other crimes, wrongs or acts of the defendant that the State intends to use at trial.

☐ Additional Discovery. Additional discovery pursuant to CrR 4.7 includes: _____

_____ and shall be completed by _____

☐ Depositions.

☐ No depositions need be scheduled at this time.

☐ The testimony of the following witness(es) shall be taken by deposition: _____

☒ Custodial Statements by Defendant.

☐ Defendant's statements may be admitted into evidence without hearing by stipulation of the parties.

☐ Defendant's statements will be offered in rebuttal only.

☒ No custodial statements will be offered in the plaintiff's case in chief or rebuttal.

☐ A CrR 3.5 hearing is required and is scheduled as indicated below.

☐ Other Motions or Hearings.

☐ A child hearsay hearing is scheduled for _____

☐ A hearing on admissibility of prior sex offense is scheduled for _____

☒ Motion to Suppress Evidence.

☒ No motion to suppress physical, oral or identification evidence will be made.

☐ A CrR 3.6 hearing is required and scheduled as indicated below.

☐ Additional Motions. No additional motions are anticipated except: _____

☐ Additional Rulings. Rulings on motions decided at the omnibus hearing: _____

☐ Other. _____

[] Hearing Schedule. A hearing on the following motions is scheduled as follows:

[] CrR 3.5 [] CrR 3.6 [] Other _____

Shall be scheduled for _____ at _____ a.m./p.m.
Affidavits and memoranda of the moving party must be filed and served
(with bench copy for the judge) by _____; the
responding affidavits and/or memoranda are due by _____
Defendant's Initials: _____

ACKNOWLEDGEMENT OF REVIEW

[] By signature below, the defendant acknowledges that the language contained in paragraph 21 of the Plaintiff's Omnibus Application has been reviewed.

DATED: January 19, 2021

JUDGE

Daniel L. Goodell
DANIEL L. GOODELL

Jointly presented:

[Signature]
Deputy Prosecuting Attorney
WSBA # 47996

[Signature] 19670
Attorney for Defendant
WSBA # _____

TRIAL WEEK: _____

NEXT HEARING DATE: _____

I certify that I have reviewed this document with my attorney and I am aware of all future court dates currently scheduled in this case. I waive my presence for the presentation of this order.

[Signature]
Defendant

Address _____

Telephone (____) _____

Cell Phone (____) _____

E-Mail Address _____