

**ADA COUNTY PUBLIC DEFENDER
Attorneys for Defendant**

**Deputy Public Defender
200 West Front Street, Suite 1107
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**IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA**

STATE OF IDAHO,

Plaintiff,

vs.

,

Defendant.

Case No. CR-FE- -

**MOTION FOR GRAND JURY
TRANSCRIPT**

COMES NOW, _____, the defendant above-named, by and through counsel _____, Ada County Public Defender's office, and moves this court to ORDER that a transcript of the grand jury proceedings in this case be prepared and provided to counsel for the defendant and the prosecuting attorney. This motion is made pursuant to the Fifth, Sixth, and Fourteenth Amendments of the United States Constitution; Article I, section 13, of the Idaho Constitution; and Idaho Criminal Rules 6 and 7.

The defendant, being indigent, also requests that the transcript be prepared at the cost of the county, and as soon as possible.

DATED, this _____ day of March 2017.

Attorney for Defendant

CERTIFICATE OF MAILING

I HEREBY CERTIFY, that on this _____ day of March 2017, I mailed (served) a true and correct copy of the within instrument to:

**Ada County Transcript Department
Interdepartmental Mail**

Katie Van Vorhis

ADA COUNTY PUBLIC DEFENDER

MOTION FOR GRAND JURY TRANSCRIPT

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STATE OF IDAHO,

Plaintiff,

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Defendant.

Case No. CR-FE- -

**ORDER FOR GRAND JURY
TRANSCRIPT**

Upon motion of the defendant, pursuant to the requirements of Idaho Criminal Rules 6 and 16, and for good cause appearing, this court hereby grants the defendant's MOTION FOR GRAND JURY TRANSCRIPTS.

A typewritten transcript of the testimony of those witnesses appearing before the grand jury, and the grand jury proceedings, in the above-entitled matter shall be prepared for use by both defense counsel and the prosecuting attorney. Said transcript shall be prepared at the expense of the county, and as soon as possible.

The Transcription Department is directed to make a physical recording of the proceedings available to a certified court reporter for transcribing. Upon receipt of its estimated fees as provided for in the case of transcripts for preliminary hearings, the Transcription Department shall have prepared and delivered to the court a sealed typewritten original transcript and two sealed copies. Each sealed copy of the grand jury transcript shall be made available by the Court to both defense counsel and the prosecuting attorney.

Upon application of the prosecuting attorney, and good cause shown, the court may direct that the transcript be edited and cause to be deleted any material in the transcript which does not pertain to the instant proceeding and which is part of other, on-going investigation not relevant to the instant proceedings, any identification of individual grand jury members, and any comments by grand jury members other than comments which are part of specific questions of witnesses.

Copies of said transcript; with a notation of the nature, but not the content, of any redaction; will be made available to both defense counsel and the prosecuting attorney by the court.

All such transcripts of grand jury testimony are to be used exclusively by the prosecutor and defense counsel in their preparation for this case, and for no other purpose. None of the material may be copied or disclosed to any other person other than the prosecutor and defense counsel without specific authorization by the court. However, authorization is hereby granted to permit disclosure of the transcript of grand jury testimony to associates and staff assistants to both defense counsel and the prosecuting attorney, who agree to be bound by this order, and only in connection with the preparation of this case. Counsel may discuss the contents of the transcript with their respective clients, but may not release the transcript themselves. The defendant, defense counsel, and the prosecutor shall be allowed to review the entire grand jury transcript. In addition, a witness whose testimony was given during grand jury proceedings may review the typed portion of the transcript which contains their specific testimony only.

Violation of any provisions of this order shall be considered a contempt. Each counsel receiving such transcript from the court shall endorse a copy of this order acknowledging that each such counsel is aware of the terms thereof, and agreeing to be bound hereby.

IT IS SO ORDERED.

SO ORDERED AND DATED, this _____ day of March 2017.

By signature, the undersigned acknowledges their familiarity with the terms of the foregoing order, and agrees to comply herewith.

DATE	SIGNATURE	OFFICE
		Prosecutor
		Public Defender

CC: Transcripts