

**VIRGINIA:**

**IN THE GENERAL DISTRICT COURT FOR THE CITY OF LYNCHBURG**

**COMMONWEALTH OF VIRGINIA** : **Court Case Number:** \_\_\_\_\_  
: **Officer Name:** \_\_\_\_\_  
**vs.** : **Officer Badge:** \_\_\_\_\_  
: **Court Date and Time:** \_\_\_\_\_

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**Accused**

**DISCOVERY AND INSPECTION ORDER**

WHEREAS, this matter came on motion of the Defendant, by counsel, for an Order for discovery pursuant to Rule 7C:5 of the Rules of the Supreme Court of Virginia (“Rule 7C:5”); *and*

WHEREAS, the Office of the Commonwealth's Attorney has chosen not to prosecute this case, and the above shown police officer is now the representative of the Commonwealth of Virginia for discovery purposes; *and*

WHEREAS, a copy of this Order, once entered by the Court, shall be delivered to the said police officer via delivery to the Records Unit of the Lynchburg Police Department (“LPD”) by email at **discoverylpd@lynchburgva.gov** at least ten (10) days before the trial date.

**NOW, THEREFORE, IT IS HEREBY ORDERED** that the said police officer in this case is to provide the following discovery to counsel for the Defendant:

- (1) The police officer shall allow counsel for the Defendant to hear, inspect, copy, or photograph any relevant written or recorded statements or confessions made by the Defendant, or copies thereof, and the substance of any oral statements and confessions made by the Defendant to any law-enforcement officer when intended for use in this case. This includes any in-car video or body-worn camera footage that may have captured any such statements.
- (2) Any criminal and/or traffic record of the Defendant.
- (3) Any information that is known to the police officer or other agents of the Commonwealth that is exculpatory, mitigating, or would serve as

impeachment material for any witness in this case. “Exculpatory” means any information that tends to show the accused is not guilty of the offense charged. “Mitigating” means any information that would show the Defendant is guilty of a lesser offense or grade of offense or that would be useful to the Defendant in sentencing. “Impeachment” means any information that shows a contradiction in the testimony of a witness in this case, shows they could not perceive what they claim to have perceived, or reveals any bias or prejudice they may have against the Defendant in this case.

**IT IS FURTHER HEREBY ORDERED** that any body-worn camera video or in-car video provided pursuant to this Order shall not be disclosed or disseminated beyond the needs of litigation, except where required by legal process or applicable law. Further, such video may not be used for any purpose(s) other than for litigation, including, but not limited to, posting on social media sites. If either party hereto wishes to disclose such video outside of the litigation of this case, then such party must move this Court for relief from this provision and notify the Records Unit of the LPD of such motion at least seven (7) days prior to such motion being heard.

**IT IS FURTHER HEREBY ORDERED** that discovery in this case shall be provided within the following timeframe(s):

- (1) If this Order is entered by the Court and delivered to the Records Unit of the LPD as previously described at least twenty-one (21) days before the day fixed for trial, then the discovery detailed above shall be provided to counsel for the Defendant no later than seven (7) calendar days before trial.
- (2) If this Order is entered by the Court and delivered to the Records Unit of the LPD as previously described at least ten (10) days, but less than twenty-one (21) days, before the day fixed for trial, then the discovery detailed above shall be delivered to counsel for the Defendant no later than thirty (30) minutes before trial.

**IT IS FURTHER HEREBY ORDERED** that this Order may only be used in misdemeanor cases punishable by confinement in jail that involve the LPD as the representative for the Commonwealth of Virginia. If counsel for the Defendant wishes to modify this Order in any way, then he/she must file a motion at least ten (10) days prior to the date fixed for trial, with a copy thereof mailed, faxed, or otherwise delivered to the Records Unit of the LPD at least seven (7) days prior to a hearing on the motion specific to modifying this Order.

ENTERED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Judge

I ASK FOR THIS:

AGREED:

**Signature Waived**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Police Officer, Lynchburg Police Department

Name: \_\_\_\_\_

VSB# \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Fax: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_