

Written or recorded statements and the substance of any oral statements of such witnesses.

Any electronic surveillance including wire tapping. The defendant's Premises or conversations to which the defendant was a party and Any record there of."

The CD of the recording of the alleged buy was not made available to the Defendant until just before trial, a year past the omnibus hearing Because of all the continuances. This didn't allow for enough time to prepare a motion to suppress. Defense council wouldn't do a motion to suppress.

Additional Ground II

Defence council's performance was deficient because he didn't motion To suppress CrR 3.6 the CD of the recording of the alleged controlled Buy.

The CD itself proves the sheriff Duke Adkisson did not follow procedure for controlled buys 155.10 # 6,7,12.

When Duryea returned to the school, with drugs and beer, he had To call Adkisson to tell him "I have already been there", and was there waiting for Adkisson to show up and end the recording. Duryea waited another 15 minutes for Adkisson to come end the recording. If this was a controlled buy where procedure was followed Duryea

Would never have had to call Atkisson to tell him he had already been there. Atkisson would have already known that if Duryea Had been under surveillance by any officer at all.

Additional Ground III

On March 20, 2008 the court misused it's descretion at pre-trial. Judge Lawler didn't ask why Johnson needed a new attorney. He just denied Johnson's request because Johnson didn't have a new attorney there. Mr. Brown was appointed by the court and the court needed to appoint Johnson new council. Johnson had spoken to Peter Tiller but was unable to retain him. Johnson had just been informed by Mr. Brown that he Was not comfortable cross examining the states witnesses because they Were friends, which prejudiced the defense council against the Defendant and made it impossible for Johnson to have a fair trial.

Date: 12/26/08 Signature: 

Thank You for your consideration.