

IN THE CIRCUIT COURT OF MAYCOMB COUNTY, ALABAMA

STATE OF ALABAMA,

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v.

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Case No. CC-00-0000

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JOE CLIENT.

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**MOTION TO ALLOW THE DEFENDANT TO VIEW
THE CRIME SCENE WITH HIS ATTORNEYS**

Joe Client respectfully moves this Court to order a law enforcement officer to take him and his attorneys to view the crime scene and allow them to discuss the case without being overheard by the officer, within thirty (30) days after the order is granted. In support of this motion, Mr. Client submits the following:

1. In order to provide effective assistance of counsel as required by the Sixth, Eighth, and Fourteenth Amendments to the United States Constitution and Strickland v. Washington, 466 U.S. 668 (1984), it is necessary that defense counsel view the crime scene with the defendant.

2. The facts of this case make it impossible for Mr. Client to describe the scene to his attorneys in sufficient detail to enable counsel to adequately investigate the scene of the alleged crime without his presence. The scene encompasses a wooded area covering approximately three square acres, and critical questions turn on the precise location and position of several individuals and their vantage points from each location. Because the crime occurred in June, in order to approximate as accurately as possible the type and density of foliage in that area at the time of the crime, counsel requires access to the scene within the next two months.

3. While the denial of this request would violate Mr. Client's rights to due process of law and effective assistance of counsel as guaranteed by the Fifth, Sixth, Eighth, and Fourteenth Amendments to the United States Constitution and Alabama law, allowing the defendant to view the scene as requested would not prejudice the State's case in any way.

For these reasons, Mr. Client respectfully requests that this Court enter an order allowing him to view the crime scene with his attorneys within thirty (30) days of the order.

Respectfully submitted,

/s/ Linda Lawyer

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[CERTIFICATE OF SERVICE]

[MOTION UPDATED ON 09/29/17]