

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF RICHMOND

THE PEOPLE OF THE STATE OF NEW YORK

-against-

RICHARD A. LUTHMANN,

Defendant.

**PEOPLE'S VOLUNTARY
DISCLOSURE FORM**

Ind. No. 379-2017

The People of the State of New York hereby voluntarily disclose to defendant(s) the following information pertaining to the above-captioned case:

A. BILL OF PARTICULARS

1. **OCCURRENCE**

Date: January 1, 2015-September 30, 2017

App. Time: Various times as specified in records submitted to counsel

Place: 700 Victory Blvd. Apart 7A, Staten Island, New York 10301, 1811 Victory Blvd. Staten Island, New York 10314 and other locations.

2. **ARREST**

Date: November 29, 2018

App. Time:

Place: Eastern District of New York, 350 Cadman Plaza East, Brooklyn, New York 11201

3. **CONDUCT OF THE DEFENDANT(S)**

This will be specified in a further submission.

a witness who has previously identified defendant.

C. DISCOVERY

1. **ADDITIONAL STATEMENTS**

[] If checked, the People hereby disclose written, oral or recorded statements of a defendant or of a co-defendant to be jointly tried, made, other than in the course of the criminal transaction, to a public servant engaged in law enforcement activity or to a person then acting under his direction or in cooperation with him, and which statements are not given in section B(1) above. CPL §240.20(1)(a). **NOT APPLICABLE**

2.. **GRAND JURY TESTIMONY**

[] If checked, defendant or a co-defendant to be tried jointly testified before the Grand Jury relating to this criminal action. CPL §240.20(1)(b). **NOT APPLICABLE**

3. **SCIENTIFIC AND MEDICAL REPORTS**

[] If checked, the People hereby disclose written reports or portions thereof, concerning a physical or mental examination or scientific test or experiment, relating to this criminal action, which were made by, or at the request or direction of a public servant engaged in law enforcement, or by a person whom the People intend to call as a witness at trial, or which the People intend to introduce at trial. CPL §240.20(1)(c). **NOT APPLICABLE EXCEPT TO THE EXTENT THAT FACEBOOK AND TWITTER TRANSMISSIONS ARE SUBMITTED IN COURT TODAY**

4. **PHOTOGRAPHS AND DRAWINGS**

[x] If checked, there exist photographs or drawings relating to this criminal action which were made or completed by a public servant engaged in law enforcement, or which were made by a person whom the People intend to call as a witness at trial, or which the People intend to introduce at trial. CPL §240.20(1)(d). *(Counsel should contact the assigned Assistant District Attorney to arrange a mutually convenient time to examine this material.)*

5. **INSPECTION OF PROPERTY**

[x] If checked, there exist photographs, photocopies or other reproductions made by or at the direction of a police officer, peace officer or prosecutor of property prior to its release pursuant to the provisions of Penal Law Section 450.10, irrespective of whether the People intend to introduce at trial the property or the photograph, photocopy or other reproduction. CPL §240.20(1)(e).

6. **OTHER PROPERTY**

If checked, there exists other property obtained from the defendant, or a co-defendant to be tried jointly, CPL §240.20(1)(f), or from another source.

7. **TAPES AND ELECTRONIC RECORDINGS**

If checked, there exist tapes or other electronic recordings which the People intend to introduce at trial, irrespective of whether such recording was made during the course of the criminal transaction. CPL §240.20(1)(g). *(Counsel should contact the assigned Assistant District Attorney to arrange a mutually convenient time to listen to the tapes or provide a blank tape for copying.)*

8. **BRADY MATERIAL**

If checked, the People have material which is required to be disclosed to defendant prior to trial pursuant to the United States Constitution or the New York State Constitution. CPL §240.20(1)(h).

9. **COMPUTER OFFENSES**

If checked, notice is hereby served pursuant to Penal Law 156.00(6), which governs offenses involving computers. CPL §240.20(1)(j)

D. DEMAND FOR NOTICE OF ALIBI

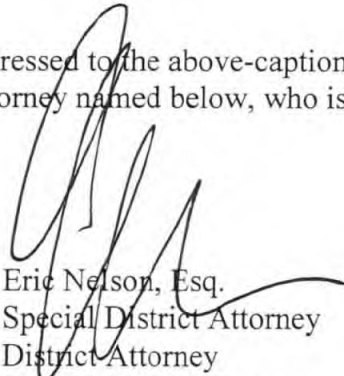
Pursuant to CPL §250.20, the People hereby demand that defendant supply the District Attorney with (a) the place or places where the defendant claims to have been at the time of the commission of the crime(s) and (b) the names, residential addresses, places of employment and addresses thereof of every alibi witness upon whom defendant intends to rely to establish his presence elsewhere than at the scene of the crime at the time of its commission. Within a reasonable time after the receipt of the information specified above, the District Attorney will submit a list of any rebuttal witnesses, their addresses, and employers.

E. RECIPROCAL DISCOVERY

Pursuant to CPL §240.30(1), the People hereby demand that defendant supply the District Attorney with (a) any written report or document, or portion thereof, concerning a physical or mental examination, or scientific test, experiment, or comparisons, made by or at the request or direction of the defendant, if the defendant intends to introduce such report or document at trial, or if defendant has filed a notice of intent to proffer psychiatric evidence and such report or document which relates thereto or if such report or document was made by a person other than defendant, whom defendant intends to call as a witness at trial; and (b) any photograph, drawing, tape, or other electronic recording which the defendant intends to introduce at trial.

NOTE: Any defense motion or request addressed to the above-captioned indictment should be directed to the attention of the Assistant District Attorney named below, who is assigned to this case.

Dated: Staten Island, New York
November 29, 2018



Eric Nelson, Esq.
Special District Attorney
District Attorney
130 Stuyvesant Place
Staten Island, New York 10301

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF RICHMOND

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THE PEOPLE OF THE STATE OF NEW YORK

Plaintiffs,

Ind No. 379-2018

-against-

RICHARD A. LUTHMANN

Defendant,

-----X

-----X

VOLUNTARY DISCLOSURE FORM

X

**ERIC NELSON, ESQ.
SPECIAL DISTRICT ATTORNEY**