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8 **IN THE MUNICIPAL COURT OF SEATTLE**

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10 CITY OF SEATTLE,

11 Plaintiff,

12 vs.

13 MILES OLIVER HUDSON,

14 Defendant

Case No(s).: 4240002153

**NOTICE OF APPEARANCE AND  
REQUEST FOR DISCOVERY**

15  
16 TO: Ann Davison, Seattle City Attorney

17 TO: Clerk, Seattle Municipal Court

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19 YOU ARE HEREBY REQUESTED, pursuant to CrRLJ 4.7, and the United States  
20 Constitution, Amendments 4, 5, 6 & 14, the Washington Constitution, Article I, Section 22,  
21 defendant demands that the City provide within 21 days of this notice, the following material and  
22 information within the knowledge, possession or control of the City, its agents and subordinates,  
23 or law enforcement agencies, which by the exercise of due diligence might become known to  
24 the them, all discovery required by CrRLJ 4.7(a)(1)-(4), 4.7(d) and the following specific  
25 requests.  
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1. The name, date of birth, aliases, addresses, telephone numbers, and prior counties of residence, of all persons the City intends to call as witnesses at any hearing or trial, together with a copy of all written or recorded statements of such persons and the substance of any and all oral statements of such persons and the names, addresses, and telephone numbers of persons present when such statements were made. You are further requested not to assume that any summary that already exists reflects all significant aspects of any statement and to, instead, verify the substance of any statement with the relevant witness.
2. Any and all documents, statements, reports or other information for each City's witness regarding:
  - a. Any prior criminal convictions and/or arrests, whether in this State or any other, and any evidence that the witness has committed or is suspected of committing a crime, regardless of conviction.
  - b. Any payments made to the witness and the dates of such payments, whether in connection with this case or any other case, city, state or federal.
  - c. Any implicit or explicit promises of benefit which have been made by any government agent or agency, city, state or federal, to the witness.
  - d. Any actual or implied threats of investigation or prosecution (including deportation or exclusion) made to any such witness.
  - e. Any payments, promises, benefits or threats (as outlined in sections b through d above) made to the witness's family members or close associates.
  - f. All known occasions on which the witness has made false statements to any person, specifically including, but not limited to, any aliases which the witness may have used.

- 1 g. All conduct or statements of the witness, whether or not in his role as a witness,  
2 which reflect a lack of candor, truthfulness, or law-abiding character. This  
3 request includes any drug use, fraud, or other uncharged criminal conduct.  
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5 h. Any false identification document which has ever been in the possession of  
6 and/or used by the witness, and each and every occasion on which the witness is  
7 known to have used said document.  
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9 i. Showing bias against the defendant, or a motive to falsify or distort testimony.  
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11 j. Any prospective witness' ability to perceive, remember, communicate, or tell the  
12 truth is impaired; or that a witness has ever used narcotics or other controlled  
13 substance, or has ever been an alcoholic or has ever been diagnosed with a  
14 mental disorder that can affect accurate perception.  
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16 k. The case number and name of all court proceedings at which the witness has  
17 testified concerning his own criminal activity, payments or rewards provided to  
18 him by the City, State or any governmental agency, or activities as an informant.  
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20 l. If given a polygraph exam, the results of any polygraph examination performed  
21 on the witness and any information concerning the witness's failure to submit to a  
22 polygraph examination.  
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24 m. Any other information that adversely reflects on the credibility of the witness.  
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26 3. All written or recorded statements and the substance of all oral statements made by  
27 the defendant or co-defendants, and the names, addresses and telephone numbers  
28 of any persons present when such statements were made. You are further  
requested not to assume that any summary that already exists reflects all significant  
aspects of any statement and to, instead, verify the substance of any statement with  
the relevant witness.

- 1           4. The names, addresses, and telephone numbers of all persons who have information  
2           concerning the alleged offense, the nature of the information they possess,  
3           regardless of whether the City intends to call them as a witness. This request  
4           includes but is not limited to the names of any "domestic violence advocates" who  
5           may possess information concerning the alleged offense.  
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- 7           5. Any books, papers, documents, video and/or audio recordings, photographs, or other  
8           tangible objects which the City Attorney intends to use at the hearing or trial, which  
9           were obtained from or belonged to the defendant, or which are in any other way  
10          related to this prosecution.
- 11          6. To disclose whether the City Attorney will rely upon prior acts, statements, or  
12          convictions of the defendant to show motive, opportunity, intent, preparation, plan,  
13          knowledge, identity, or absence of mistake or accident, together with a statement of  
14          the information to be relied upon and its purpose.
- 15          7. Any and all information and records concerning prior criminal convictions of the  
16          defendant, co-defendant, and persons whom the City Attorney intends to call as  
17          witnesses at the hearing or trial, whether from this State or any other. This request  
18          includes the Federal Bureau of Investigation's record of arrest and dispositions and  
19          the National Crime Information Center entries for arrests and dispositions.  
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- 21          8. Any and all electronic surveillance, including wiretapping, of the defendant's  
22          premises or conversations to which the defendant or any witness was a party and  
23          any record thereof.
- 24          9. To indicate the relationship, if any, of the City's witnesses to the prosecuting  
25          authority.
- 26          10. Any and all information or material which may tend to exculpate the defendant or  
27          which tends to negate defendant's guilt as to the offense charged, including any  
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exculpatory witness statement, including negative exculpatory statements, i.e., statements by informed witnesses that fail to mention the defendant.

11. The names, addresses, phone numbers, and e-mail addresses of any and all expert witnesses the City Attorney intends to call at the hearing or trial together with a summary of their testimony, the nature of the opinion and their qualifications, background, education, training and the treatises or texts they rely upon, and any reports they have submitted to the City Attorney
12. Any and all reports, statements, draft reports, notes, test results, test procedures or other work product of experts, made in connection with this case, including, but not limited to, the results of physical or mental examinations and scientific tests, experiments or comparisons, bench notes, graphs, charts, preliminary results, drafts, computer records or notes, and all communications between the requesting party and the agency performing the analysis. If the City intends to call a toxicologist or technician as an expert witness please provide the name, curriculum vitae, professional training, experience and knowledge or subject of expertise of the particular witness the City intends to call;
13. Any and all reports made by agents of the state pertaining to the investigation of this case, including, but not limited to, arrest reports, police reports, "use-of-force" statements and follow-up reports, and internal investigation statements or interviews.
14. To disclose any and all information regarding pre-trial identification procedures employed in this case, including, but not limited to, the following:
  - a. The time, date, location and type of identification procedure employed.

- 1           b. The names and addresses of all persons present at the identification and any  
2           statements made in regard to the offense or identification.
- 3           c. Whether an identification was made; the name and address of person identified;  
4           the name and address of the person making the identification together with any  
5           and all statements made pertinent to the identification or the offense.
- 6           d. Any and all photographic, photostatic, or computer-generated depictions of the  
7           montage, line-up, show-up, or other identification procedure employed.
- 8
- 9       15. To disclose any and all information and material regarding any search and/or seizure  
10       relating to this case; the time, date, location, and name of individual or place  
11       searched and material sought or seized; together with the names and addresses of  
12       persons present or who have information regarding the search or seizure and any  
13       statements they have made.
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- 15       16. The time, date and location of the defendant's arrest; together with the names and  
16       addresses of persons who were present and/or arrested, the defendant and any and  
17       all statements or reports made with respect to the arrest of the respondent. If the  
18       defendant was arrested on the authority of a warrant, the affidavit in support of the  
19       warrant, the warrant itself, and the return of the warrant. This request applies even if  
20       the warrant which resulted in defendant's arrest was for another unrelated case or a  
21       bench warrant.
- 22
- 23       17. All radio logs, dispatch recordings, police vehicle recordings, detention facility  
24       recordings, and any other audio or visual recordings that relate to the circumstances  
25       surrounding the arrest, detention or any questioning of the defendant.
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- 27       18. All repair logs, maintenance logs, operations manuals, protocols, and other  
28       documents or computer records relating to instruments and techniques used to  
      conduct forensic analysis in this case.

- 1 19. Any law enforcement daily bulletins concerning the defendant and witnesses.
- 2 20. If you are providing discovery in electronic format, please provide an index of
- 3 materials contained on each disc or drive, together with the names of any
- 4 programs/software needed to open and operate the electronic files.
- 5 21. Any information which the City Attorney has indicating entrapment of the defendant.
- 6 22. The title, date, and description of any and all documents obtained through the use of
- 7 a Special Inquiry subpoena or other Special Inquiry proceeding process.
- 8 23. All written or recorded statements and the substance of all oral statements made by
- 9 any witness interviewed during the investigation of this case or that the state intends
- 10 to call at trial and the names, addresses, and phone numbers of any persons present
- 11 when such statements were made. This request, and any other request contained in
- 12 this document, includes disclosure of the identity, statements, testimony, and
- 13 evidence of any witness who testified in a special inquiry proceeding pursuant to
- 14 RCW 10.27 related to this matter.
- 15 24. Pursuant to CrRLJ 4.7, we are requesting material and information in the knowledge
- 16 and possession of Washington State Patrol related to any Breath or Blood test taken
- 17 in this case. That includes, but is not limited to, the records related to the QAP for
- 18 the machine that preceded the test in question; the full CAD for breath test machine;
- 19 any repairs within three months before the test and three months after the test; any
- 20 abnormality in the certification or function of the machine; the confidence intervals
- 21 related to the QAP; error rates for the machine; what biological factors are taken into
- 22 account and at what percentage they are used to modify results or determine
- 23 confidence intervals; any maintenance or repair history of the machine; any
- 24 instrument status report(s); what interferences are accounted for and at what
- 25 percentage they are used to modify results or determine confidence intervals; dry
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1 gas cylinder or other simulator sample control certifications; dry gas cylinder or other  
2 simulator sample control changes within three months before the test and three  
3 months after the test; thermometer certifications or calibrations; any audio and/or  
4 video of the breath test; protocols or methods of maintaining the integrity of any  
5 records related to the breath test or blood testing machines; any evidence of possible  
6 contamination of the sample, testing equipment, or lab; toxicology batch certifications  
7 (both multi-signature and single signature); and any other toxicology solution  
8 documents.  
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11 YOU ARE REQUESTED to provide notice of the defendant's criminal history upon which  
12 the City will rely.

- 13 1. With respect to criminal history, the crime or crimes (with specific statutes violated for  
14 out-of-state convictions), the date of conviction, the date of release from custody, the  
15 state and county of conviction, and the cause number.  
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17 2. If the City intends to argue or present evidence of aggravating circumstances to  
18 justify enhanced penalties, the specific evidence the City intends to present to the  
19 Court on that issue.

20 Pursuant to Kyles v. Whitley, 514 U.S. 419 (1995), you must undertake every effort to  
21 discover the existence of all material or favorable evidence requested above that may be known  
22 to any law enforcement agency that is involved in this case or that has past dealings with any  
23 witness in this case.

24 YOU ARE REQUESTED to preserve all physical evidence relating to the alleged offense  
25 and the scene of the alleged crime, and the defendant's arrest and detention, including, but not  
26 limited to, police communications, 911 recordings, and video recordings, until final disposition of  
27 this cause or until further order of this Court. Request is made pursuant to State v. Boyd, 29  
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1 Wn.App. 584 (1981) and U.S. v. Agurs, 427 U.S. 97, 49 L.Ed.2d 342 (1976). This request  
2 includes, but is not limited to, all police video recordings, including on-board police car video,  
3 and detention cell video.  
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9 FURTHER The Defense demands that the City produce in court any experts or  
10 technicians whose reports, certifications, maintenance records, tests or opinions it will rely  
11 upon pursuant to CrRLJ 6.13.

12 This is an ongoing request for discovery.

13 Dated this 5th day of July, 2024.  
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16 s/Emma K Rekart  
17 WSBA Number 57601  
18 erekart@kingcounty.gov  
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