

**IN THE CIRCUIT COURT OF
THE TWENTIETH JUDICIAL CIRCUIT
ST. CLAIR COUNTY, ILLINOIS**

PEOPLE OF THE STATE OF ILLINOIS,)
Plaintiff,)
) NO(S). 09TR0009129, 09TR0009130,
v.) 09TR0009131, 09TR0009132, 09CM0000942
)
Mark McCoy)
Accused.)

PRE-HEARING MOTION FOR DISCOVERY

NOW COMES the Accused, Mark McCoy, a free and independent man in full possession of his unalienable natural rights having surrendered nothing to the State in exchange for any privilege, Sui Juris and in Propria Persona, by limited and special appearance, maintaining his challenge to the jurisdiction of the State for crimes, offenses, and misdemeanors not cognizable to the Common Law, and moves this Court for an order to be entered on the State's Attorney to disclose and produce certain evidence that is essential and material to the preparation of his defense.

The Accused requests that such disclosure and production include, but not be limited to, the following:

1. The names and most current addresses of persons the prosecution may call as witnesses, including production of the following:

- a) Any written or recorded statements by these witnesses, including those written or recorded statements made by police officers; and
- b) Any memoranda reporting or summarizing oral statements by such witnesses.

2. The names and addresses of persons who were occurrence witnesses to the alleged offense, or who were present at the time of the arrest of the defendant, whom the State may or may not call as witnesses, including production of the following:

- a) Any written or recorded statements by these witnesses, including those written or recorded statements made by police officers; and
- b) Any memoranda reporting or summarizing oral statements by such witnesses.

3. All written and recorded statements made under any circumstances which the State seeks to attribute to this defendant and to offer in evidence.

4. Any handwritten notes taken by the police officers, in relation to the above-captioned case that were made prior to or contemporaneous with the filing of criminal charges.

5. Any reports and results of any and all scientific tests, experiments, and examinations made by experts or others and the names of such persons who conducted the tests (including such tests as: drug identification, pathological reports, ballistics, fingerprints, tests for blood, and other stains, pertinent to this case.)

6. A list of all physical property related to this case that the State has in its possession or that is in the possession of law enforcement officials, including:

- a) The date and time the property was acquired;
- b) The location from which the property was acquired;
- c) The name and address of the person or persons who first took the property into their possession;
- d) Reports made by law enforcement authorities pertaining to this property, including, but not limited to scientific tests, experiments, or comparisons, and that such property be made available to the defendant for inspection before trial.

7. A list of, and an opportunity to examine and photocopy, all books, papers, documents, photographs, video or audio recordings, or tangible objects which the prosecution intends to use in the hearing or trial, or which were obtained from or belong to the accused.

8. Any record of prior criminal convictions, which may be used for impeachment, of persons whom the State intends to call as witnesses at any hearing or trial.

9. Any record of any criminal or civil action pending against any persons whom the State intends to call as witnesses in any hearing or trial involving the People of the State of Illinois or any subdivision thereof, or whether there has been such action pending since the date of the alleged offense which is the basis for this prosecution, the nature of such action, and any outcome thereof.

10. It is requested that the prosecution disclose to the defense the names and addresses of any witness or witnesses who may be or would be favorable to the defense. These witnesses should be clearly and separately identified on the list of witnesses. The same disclosure is requested of any physical evidence, scientific evidence, reports, or statements of experts that might be or would be favorable to the defense.

11. A bill of particulars containing the exact time and date of the occurrence(s) and the exact street address and physical description of the location of the occurrence(s).

12. Any evidence which would negate or refute the Accused's Affirmations as expressed in his Declaration of Sovereignty, Expatriation, and Dissolution of all Previous National and Political Allegiance, of which this Court has taken judicial notice, and which would submit the Accused to punishment for having transgressed mala prohibita statutes of which he has not freely consented to and surrendered his natural rights in favor of governmental privileges and benefits.

13. It is requested that the prosecution be under a continuing duty to disclose additional information subject to disclosure which is learned after the filing of this motion.

WHEREFORE, the Accused respectfully requests that this Honorable Court enter an Order requiring the prosecution to fulfill the aforesaid requests at the earliest reasonable time possible.

Respectfully submitted,

Mark McCoy, in Propria Persona
41 Grandview Drive
Collinsville, Illinois 62234

CERTIFICATE OF SERVICE

I hereby certify that on Tuesday, September 8, 2009, a true and correct copy of the foregoing document or pleading entitled:

PRE-HEARING MOTION FOR DISCOVERY

Was mailed via U.S. Post, First Class, by leaving same with counter personnel at the U.S. Postal Office in Collinsville, Illinois and addressed to the:

Circuit Court of the Twentieth Judicial District, St. Clair County, Illinois

#10 Public Square

Belleville, Illinois 62220

Mark McCoy

Collinsville, Illinois USA