

**EXHIBIT D**  
**VOLUNTARY DISCLOSURE**  
**FORM/BILL OF PARTICULARS**

FORMBILT OF PARENTS TO  
VOLUNTARY DISCLOSURE  
EXHIBIT D

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK: PART 45

THE PEOPLE OF THE STATE OF NEW YORK

-against-

MIGUEL DELLOSSANTOS,

Defendant.

PEOPLE'S  
VOLUNTARY  
DISCLOSURE FORM

Ind. No. 3334/2002

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

A. BILL OF PARTICULARS

1. OCCURRENCE

Date: October 8, 1999  
App. Time: 12:25 am  
Place: 478 West 145th St., Apt 33

2. ARREST

Date: May 30, 2013  
App. Time:  
Place: 30th pct

B. NOTICES

1. STATEMENTS

If checked, notice is hereby served, pursuant to CPL §710.30(1)(a), that the People intend to offer at trial evidence of a statement made by defendant to a public servant. *(Where a statement has been recorded on video, counsel should contact the assigned assistant district attorney to arrange a mutually convenient time for viewing the recording or should provide a blank DVD for copying.)*

Statement Number: 1  
Date: May 30, 2013  
Approximate Time:  
Location: Laguardia Airport  
Individual Made To: Det Hall and Det Morales

Substance of Statement

At Laguardia airport, after having been transported from North Carolina, defendant said, in substance, that in the past he had been thinking of turning himself in, but his friends talked him out of it. He said he was relieved, that now he could sleep at night, and that he could now use his true name. He also asked if he would be allowed to put his son Christian's name on his list of prison visitors, that he wanted to start relations with him.

2. IDENTIFICATION

If checked, notice is hereby served, pursuant to CPL §710.30(1)(b), that the People intend to offer at trial testimony regarding an observation of defendant either at the time or place of the commission of the offense or upon some other occasion relevant to the indictment, to be given by a witness who has previously identified defendant.

Identification Number: 1  
Type of ID: photo array  
Date: October 12, 1999  
Approximate Time:  
Location: 30th pct  
Number of Identifying Witnesses: 1

Although section 710.30(1)(b) notice has been given above, the People submit that the 'identification' was confirmatory and therefore a *Wade* hearing should be unnecessary.

Identification Number: 2  
Type of ID: photo array  
Date: March 29, 2002  
Approximate Time:  
Location: 80 Centre St.  
Number of Identifying Witnesses: 1

Although section 710.30(1)(b) notice has been given above, the People submit that the 'identification' was confirmatory and therefore a *Wade* hearing should be unnecessary.

Identification Number: 3  
Type of ID: photo array  
Date: May 30, 2002  
Approximate Time:  
Location: 80 Centre St.  
Number of Identifying Witnesses: 1

Although section 710.30(1)(b) notice has been given above, the People submit that the 'identification' was confirmatory and therefore a *Wade* hearing should be unnecessary.

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).

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). *Such testimony is available upon payment of a stenographic fee.*

3. SCIENTIFIC AND MEDICAL REPORTS

If checked, the People hereby disclose written reports or documents 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 of a trial, or which the People intend to introduce at trial. CPL §240.20(1)(c).

	Already Served	Attached	Will Be Provided
Autopsy	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Ballistic reports	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

4. PHOTOGRAPHS AND DRAWINGS

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

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). *(Counsel should contact the assigned assistant district attorney to arrange a mutually convenient time to examine this property.)*

6.

OTHER PROPERTY

If checked, there exist other property obtained from the defendant, or a co-defendant to be tried jointly, CPL §240.20(1)(f), or from another source. *(Counsel should contact the assigned assistant district attorney to arrange a mutually convenient time to examine this property.)*

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 any 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, there is material appended which the People are required to turn over pursuant to the United States or the New York State Constitution. The People are aware of their continuing obligation to disclose material exculpatory information to defendant and intend to satisfy that obligation as required by law. CPL §240.20(1)(h).

9.

COMPUTER OFFENSES

If checked, discovery is hereby served pursuant to CPL §240.20(1)(j) of the time, place and manner of notice given pursuant to Penal Law §156.00(6), which governs offenses for Unauthorized Use of a Computer (Penal Law §156.05) and Computer Trespass (Penal Law §156.10).

10.

VEHICLE AND TRAFFIC LAW OFFENSES

If checked, the People hereby disclose written reports or documents or portions thereof, concerning a physical examination, a scientific test or experiment, including the most recent record of inspection, or calibration or repair of machines or instruments utilized to perform such scientific tests or experiments and the certification certificate, if any, held by the operator of the machine or instrument, which tests or examinations were made by or at the request or direction of a public servant engaged in law enforcement activity, or which was 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)(k).

11.

SEARCH WARRANTS

If checked, a search warrant was executed during the investigation of this case.

**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, and of every witness in support of such defense. 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 case should be directed to the attention of the assistant district attorney named below, who is assigned to this case.

Dated: New York, New York  
June 26, 2013

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David Drucker  
Assistant District Attorney  
(212) 335-9224