

IN THE COUNTY COURT OF THE
NINETEENTH JUDICIAL CIRCUIT
IN AND FOR INDIAN RIVER COUNTY, FLORIDA

STATE OF FLORIDA

-vs-

Phillip Michael McCorkle
Defendant

Case No. 31-2024-MM-001377-A
Demand For Notice of Alibi
Demand for Reciprocal Discovery
State's Discovery Exhibit

COMES NOW the State of Florida, by and through its undersigned State Attorney and files this Discovery Exhibit, Demand for Reciprocal Discovery and Demand for Notice of Alibi pursuant to Fla. R. Crim. P. 3.220 and 3.200 as follows:

DEMAND FOR NOTICE OF ALIBI

(1) As particularly as is known to the undersigned State Attorney, the place, date, and time of the commission of the crime charged is:

DATE (on or about) From: July 26, 2024
DATE (on or about) To:
TIME (at or about)/PLACE: 0800 hrs / 1511 38th Ave, Indian River County, FL

(2) The state herewith files this Demand for Notice of Intention to Rely Upon Alibi Defense pursuant to Fla. R. Crim. P. 3.200 demanding that the defendant furnish the prosecutor with a Notice of Alibi not less than ten (10) days prior to trial, stating the place the defendant claims to have been at the time of the offense and the names and addresses of witnesses he proposes to use to establish that alibi, if such a defense will be relied upon at trial.

DEMAND FOR RECIPROCAL DISCOVERY

The State has submitted its witness list and demands within fifteen (15) days a written list of the names and addresses of all witnesses the defense expects to call at the trial or hearing. In addition, the State demands a discovery exhibit which shall disclose to and permit the prosecutor to inspect, copy, test and photograph the statements of any persons listed by the defendant, reports or statements of experts made in connection with the particular case and any tangible papers or objects that the defendant intends to use in the hearing or trial.

STATE'S DISCOVERY EXHIBIT

(1) Pursuant to Fla. R. Crim. P. 3.220(b)(1)(B) through (M), the State discloses to the defendant, and will permit the defendant to inspect, copy, test, and photograph the information and material within the State's possession or control as specifically identified below.

(A) Fla. R. Crim. P. 3.220 (b)(1)(A) The names and addresses of all persons known to the prosecutor to have information which may be relevant to any offense charged, or to any defense thereto, or to any similar fact evidence to be presented at trial under section 90.404(2), Florida Statutes, are listed below.

- (i) Category A Witnesses: Pursuant to Fla. R. Crim. P. 3.220 (b)(1)(A)(i), the State identifies witnesses encompassed by this section with an 'A' preceding their name. Separately identified within this category are persons who were present when a recorded or unrecorded statement was taken from or made by a defendant or codefendant, and these witnesses names are preceded by an 'S'.
- (ii) Category B Witnesses: Pursuant to Fla. R. Crim. P. 3.220 (b)(1)(A)(ii), the State identifies witnesses encompassed by this section with a 'B' preceding their name.
- (iii) Category C Witnesses: Pursuant to Fla. R. Crim. P. 3.220 (b)(1)(A)(iii), the State identifies witnesses encompassed by this section with a 'C' preceding their name.

S Adam Brady, 4055 41st Ave, Vero Beach, FL 32960 Indian River County Sheriffs Office
S Ryan Eggers, 4055 41st Ave, Vero Beach, FL 32960 Indian River County Sheriffs Office
S Natasha Glading, 4055 41st Ave, Vero Beach, FL 32960 Indian River County Sheriffs Office
S Manace Gonzalez, 4055 41st Ave, Vero Beach, FL 32960 Indian River County Sheriffs Office
S Kevin Jaworski, 4055 41st Ave, Vero Beach, FL 32960 Indian River County Sheriffs Office
S Shane Joerger, 4055 41st Ave, Vero Beach, FL 32960 Indian River County Sheriffs Office
S Michael McCorkle, 1511 38th Ave, Vero Beach, FL 32960
S Paula McCorkle, 1511 38th Ave, Vero Beach, FL 32960
S Brandon McKay, 4055 41st Ave, Vero Beach, FL 32960 Indian River County Sheriffs Office
S Dennis McKenzie, 4055 41st Ave, Vero Beach, FL 32960 Indian River County Sheriffs Office
S Gerald Orehostky, 4055 41st Ave, Vero Beach, FL 32960 Indian River County Sheriffs Office

The following list of discovery is being provided:

(B) Fla. R. Crim. P. 3.220 (b)(1)(B) The statement of any person whose name is furnished above.

(C) Fla. R. Crim. P. 3.220 (b)(1)(C) Written or recorded statements made by the defendant and the substance of any oral statements made by the defendant. Including a copy of any statements contained in police reports or report summaries together with the name and address of each witness to the statements: Summary of statements at the end of this section.

(F) Fla. R. Crim. P. 3.220 (b)(1)(F) Tangible papers or objects that were obtained from or belonged to the defendant:

(H) Fla. R. Crim. P. 3.220 (b)(1)(H) Electronic surveillance, including wiretapping, of the premises of the defendant or of conversations to which the defendant was a party and any documents relating thereto:

(I) Fla. R. Crim. P. 3.220 (b)(1)(I) There has been any search and seizure, and there may be documents relating thereto:

(K) Fla. R. Crim. P. 3.220 (b)(1)(K) Tangible papers or objects that the prosecuting attorney intends to use in the hearing or trial and that were not obtained from or that did not belong to the defendant:

(*) Body Camera Video- Law Enforcement has informed the State Attorney that it has in its possession and control body camera video relating to the investigation or arrest of the defendant. As with all evidence within the possession and control of any law enforcement agency, you are entitled to inspect or copy the body camera video. In order to do so, you must contact the law enforcement agency to review or obtain a copy of the video.

"(C) and/or (D)" RESPONSE: See statements in discovery.

ALL TANGIBLE OBJECTS as provided by Fla. R. Crim. P. 3.220 (b)(1)(F), (K) and (L) may be inspected, copied, tested, and photographed at:

State Attorney's Office
Indian River County Sheriffs Office

Law enforcement agencies maintain records and tangible items at its offices. You should not assume that the State Attorney's Office possesses copies of all of these items. This document will serve as authorization for Justin Barenborg, attorney for the defendant, or the defendant's designated representative to inspect, copy, test, and photograph information and material specified in Rule 3.220(b)(1) at the agencies listed above.

Agency Number: 2024-75111

Lab Number:

CAD Number:

Digital Media available as indicated below (see Electronic Discovery receipt for details):

FWC Bodycam Link Expiration Date:

Evidence.com Link Expiration Date:

Motorola Bodycam Link Expiration Date:

Watchguard Link Expiration Date:

I HEREBY CERTIFY that a true copy of the foregoing has been furnished to Justin Barenborg, by eservice/email at the designated email address of Justin.Barenborg@pd19.org, Julie.ziegler@pd19.org on October 2, 2024.

RESPECTFULLY SUBMITTED
THOMAS R. BAKKEDAH
STATE ATTORNEY

By: /s/ Elise M. Kearney

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