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SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF BUTTE

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| THE PEOPLE OF THE STATE OF CALIFORNIA,  Plaintiff,  v.  {insert defendnant’s name},  Defendant. |  | No. {insert case number}  **ORDER PERMITTING THE DISTRICT ATTORNEY TO DISCOVER TO THE DEFENSE OBSCENE MATTER DEPICTING SEXUAL CONDUCT OF PERSONS UNDER 18 AND SUBSEQUENT DESTRUCTION ORDER** |

WHEREAS Penal Code section 1054.1 mandates the prosecution to disclose to the defendant or his attorney all relevant real evidence seized or obtained as part of the investigation of the offense charged; and

WHEREAS Penal Code section 311.2(e) permits the prosecution to obtain and have obscene matter for prosecution purposes; and

WHEREAS Penal Code section 311.3(c) permits the prosecution to develop, duplicate, print, or exchange obscene matter depicting sexual conduct of a person under 18; and

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WHEREAS Penal Code section 312 provides for the destruction of obscene matter upon the conviction or conclusion of a case;

THE COURT NOW ORDERS the prosecution to discover any and all obscene matter obtained in the course of the investigation for case number {insert case number} to the defense attorney {insert defense attorney}.

THE COURT FURTHER ORDERS that these materials not be further duplicated and not to be distributed to any other party including the defendant. A designated defense investigator and/or expert is excepted from this provision. At the conclusion of the case or sentencing, whichever comes sooner, {insert defense attorney} is to return any and all obscene matter received in case number {insert case number} to the prosecution for destruction.

Dated:\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

{insert assigned judicial officer}

Superior Court Judge