

Editors Note: [99 1/2 times out of 100 the Bill of Particulars asks for information which is already set forth in the indictment. A Bill of Particulars only allows an amplification of the pleadings contained in the indictment. It is not to be used for discovery of evidence or prosecutor theory.]

_____ COURT OF _____
COUNTY OF _____

-----X

THE PEOPLE OF THE STATE OF NEW YORK

-against-

Index No. _____

[NAME],

Accused.

-----X

REQUEST FOR A BILL OF PARTICULARS

I am the attorney of record for the accused _____. This request is made together with the accompanying demand for discovery to help me prepare for trial. In order for Mr. _____ to defend himself, it is necessary and essential to the defense that specific items of factual information, not recited in the indictment. Mr. _____ cannot adequately prepare or conduct his defense without the information requested. Pursuant to CPL §§ 100.45 and 200.95, I am requesting that you produce the following information relating to the charges pending against Mr. _____.

With respect to all charges, state:

1. Whether the prosecution intends to prove that Mr. _____ acted as
 - a. principal, or
 - b. accomplice, or
 - c. both.
2. State with sufficient specificity to understand the nature of the incident, and exactly where the incident occurred,

Request is further made that any Bill of Particulars and/or any refusal to supply any of the requested material be made in writing setting forth the grounds for such refusal (CPL § 200.95(4)). A copy of such writing should be served upon the undersigned and filed with the Court within 15 days. Kindly serve the Bill of Particulars requested and/or any refusals at my office.