

_____ COURT OF THE STATE OF NEW YORK
COUNTY OF _____ : PART _____
-----X
THE PEOPLE OF THE STATE OF NEW YORK

ORDER GRANTING ACCESS
TO PREMISES

-against-

Indictment/Docket No. **(NUMBER)**

(NAME),
Defendant.
-----X
HON. _____:

WHEREAS, defendant has moved, pursuant to CPL §245.30(2), for an order granting access to the crime scene or other premise relevant to the subject matter of the case; and

WHEREAS, this Court has considered the **(ORAL ARGUMENT/WRITTEN SUBMISSIONS)** of defense counsel, the prosecution and the **(INDIVIDUAL/AGENCY/ENTITY)** who has possessory or ownership rights in said premise; and

WHEREAS, this Court has considered defendant's expressed need for access to the crime scene/premises; the risk that defendant will be deprived of evidence or information relevant to the case; the position of the prosecutor; and the position, privacy interest and hardship of the **(INDIVIDUAL/AGENCY/ENTITY)** with possessory or ownership rights to the crime scene/premises; and whether the probative value of access can be preserved by alternative means:

NOW THEREFORE, IT IS HEREBY

ORDERED that **(DEFENSE COUNSEL)**, and/or a representative, be granted reasonable access to **(CRIME SCENE/PREMISES)** within **(NUMBER OF DAYS)** from the date of this order; and it is further

ORDERED that within this specified time frame the **(INDIVIDUAL/AGENCY/ENTITY)** with possessory or ownership rights shall provide **(DEFENSE COUNSEL)** and/or a representative, reasonable access to the **(CRIME SCENE/PREMISE)** to inspect, photograph, or measure; and it is further

ORDERED that within this specified time frame the condition of the **(CRIME SCENE/PREMISE)** remain unchanged; and it is further

ORDERED that a member of **(LAW ENFORCEMENT AGENCY)** be present at the **(CRIME SCENE/PREMISE)** while defense counsel or a representative is present.

SO ORDERED:

(DATE)

HON. _____