

_____ COURT OF THE STATE OF NEW YORK
COUNTY OF _____ : PART _____

-----X
THE PEOPLE OF THE STATE OF NEW YORK

ORDER TO PRESERVE
EVIDENCE

-against-

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

(NAME),

Defendant.

-----X
HON. _____:

WHEREAS, the **(PROSECUTOR/DEFENDANT)** has moved, pursuant to CPL§ 245.30(1), for an order to preserve, for a specified period of time, items which relate to the subject matter of the case or are otherwise relevant; specifically **(LIST ITEMS); and**

WHEREAS, such items are in the possession, custody or control of **(INDIVIDUAL/ENTITY/AGENCY); and**

WHEREAS, this Court has considered the **(ORAL ARGUMENT/WRITTEN SUBMISSIONS)** of defense counsel and the prosecution; and

WHEREAS, this Court has considered whether the preservation of the evidence will create significant hardship to **(INDIVIDUAL/ENTITY/AGENCY)** as well as whether the probative value of the evidence can be preserved by specified alternative means.

NOW THEREFORE, IT IS HEREBY

ORDERED that **(INDIVIDUAL/ENTITY/AGENCY)** shall preserve the following items in **(HIS/HER/ITS)** possession, custody or control: **(LIST ITEMS)**, for **(LENGTH OF TIME)** from the date of this order; and it is further

(ADD IF APPLICABLE):

ORDERED that, within this specified time frame, the **(PROSECUTOR/DEFENSE COUNSEL/REPRESENTATIVE)**, shall be granted reasonable access to the listed items for inspection, testing, copying and/or photographing.

SO ORDERED:

(DATE)

HON. _____