

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

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

PROTECTIVE ORDER

-against-

Indictment/Docket No. (NUMBER)

(NAME),

Defendant.

-----X
HON. _____:

WHEREAS, [PARTY] has moved for a protective order, pursuant to CPL §245.70, seeking to [DENY/RESTRICT/CONDITION/DEFER] disclosure of [LIST MATERIAL/INFORMATION]; and

WHEREAS, a hearing has been conducted by the Court to determine whether good cause for the protective order has been shown; and

WHEREAS, the Court has considered [CHOOSE APPROPRIATE: constitutional rights or limitations; danger to the integrity of physical evidence or the safety of a witness; risk of intimidation, economical reprisal, bribery, harassment or unjustified annoyance or embarrassment to any person, and the nature, severity and likelihood of that risk; a risk of an adverse effect upon the legitimate needs of law enforcement, including the protection of the confidentiality of informants, and the nature, severity and likelihood of that risk; the nature and circumstances of the factual allegations in the case; whether defendant has a history of witness intimidation or tampering and the nature of that history; the nature of the stated reasons in support of a protective order; the nature of the witness identifying information that is sought to be addressed by a

protective order, including the option of employing adequate alternative contact information; danger to any person stemming from factors such as a defendant's substantiated affiliation with a criminal enterprise as defined by Penal Law §460.10; other similar factors found to outweigh the usefulness of the discovery] and has found good cause **[EXPLAIN]**.

NOW THEREFORE, IT IS HEREBY

ORDERED that the discovery/inspection of **[MATERIAL/INFORMATION]** be **[DENIED/RESTRICTED/CONDITIONED/DEFERRED]** until **[TIME PERIOD]**; and it is further

ORDERED that the **[MATERIAL/INFORMATION]** to be discovered be available only to counsel for defendant and the Court has informed defendant on the record that defense counsel is not permitted by law to disclose such **[MATERIAL/INFORMATION]** to defendant. **OR**

ORDERED that counsel for defendant, and persons employed by defense counsel or appointed by the court to assist in the preparation of defendant's case, may not disclose physical copies of the discoverable documents to defendant or anyone else, provided that the prosecution afford defendant access to inspect redacted copies of the discoverable documents at a supervised location.

This decision and order may be reviewed by an individual justice of the intermediate appellate court to which an appeal from a judgment of conviction may be taken within two business days.

SO ORDERED:

Dated: _____

HON. _____