

## **16.1 Disclosure Requirements.**

This court presumes that a defendant has requested disclosure of Federal Rule of Criminal Procedure Rule 16(a)(1) discovery and that the government has requested reciprocal discovery, unless the procedures of this rule overcome the presumption.

### **(a) Government's Disclosure.**

#### **(1) No Discovery Requested.**

If the defendant does not request federal Rule 16(a)(1) discovery, the defendant must file a notice within 2 days after the arraignment stating that the defendant does not request the discovery. If this notice is filed, the government is relieved of any federal Rule 16 discovery obligations to the defendant.

#### **(2) Partial Discovery Requested.**

If the defendant requests federal Rule 16(a)(1)(A)-(D) discovery but files a notice within 2 days after the arraignment stating that the defendant does not request Rule 16(a)(1)(E), (F), or (G) discovery, then the government must provide Rule 16(a)(1)(A)-(D) discovery and any Rule 16(a)(1)(E)(F) and (G) discovery not specifically identified in the defendant's notice.

#### **(3) Disclosure Deadline.**

Unless the court orders otherwise, the government must provide discovery under this rule no sooner than 2 but not later than 14 days after the arraignment.

#### **(4) Certificate of Service.**

Upon providing the required discovery, the government must file and serve a notice of compliance.

### **(b) Defendant's Disclosure.**

#### **(1) Reciprocal Disclosure; Deadline.**

If the government provides Rule 16(a)(1)(E), (F), or (G) discovery, unless the court orders otherwise, the defendant must then disclose reciprocal discovery under Federal Rule of Criminal Procedure 16(b)(1)(A), (B), and (C) within 30 days after the arraignment.

**(2) Certificate of Service.**

Upon providing the required discovery, the defendant must file and serve a notice of compliance.