Editors Note: [*99 ½ 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.

Sample

Dated: _____, New York
[Date]

Respectfully Submitted,

s/ _____
[Signing Attorney's Name]

Sample