

**IN THE CIRCUIT COURT,  
SEVENTH JUDICIAL CIRCUIT,  
IN AND FOR FLAGLER COUNTY, FLORIDA**

**CASE NO: 19-00120-CFFA**

**STATE OF FLORIDA**

**VS.**

**ELIJAH JACKSON,  
DEFENDANT.**

\_\_\_\_\_ /

**MOTION FOR TAKING PHOTOGRAPH OF DEFENDANT**

COMES NOW, State Attorney R.J. Larizza, by and through the undersigned Assistant State Attorney, pursuant to F.R.Cr.P. 3.220(c)(1)(D) and (I) and moves this Honorable Court to issue an Order requiring the Defendant to appear and permit the taking of photographs of the defendant's erect, unclothed penis, and as grounds state:

1. The defendant has been charged with Transmission of Material Harmful to Minors by Electronic Device and Soliciting a Child for Unlawful Sexual Conduct Using Computer Services or Devices.
2. It is alleged that the defendant sent a photograph of his erect penis to the minor victim in this case through Facebook messenger. The State has the burden to prove that the defendant is the person who sent this photograph to the minor victim.
3. The State is seeking to take a photograph of the defendant's unclothed and erect penis in order to prove that the photograph of the penis sent to the minor victim in this case was in fact a photograph of the defendant's penis.

WHEREFORE, the State moves this Honorable Court for an Order to permit the taking of photographs of the defendant's unclothed and erect penis.

R.J. LARIZZA

STATE ATTORNEY

By: s/MELISSA L CLARK  
ASSISTANT STATE ATTORNEY  
Florida Bar No.: 0499625  
ESERVICEFLAGLER@SAO7.ORG

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy hereof has been furnished by mail/delivery to ALEXANDER SMITH-JOHNSON, 1769 EAST MOODY BLVD BUILDING 1, KIM HAMMOND JUSTICE CENTER, BUNNELL, FL 32110-1448, on November 13, 2019.

s/MELISSA L CLARK \_\_\_\_\_  
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