

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
COLUMBUS DIVISION

UNITED STATES OF AMERICA, :  
 :  
vs. : Case No. \_\_\_\_\_  
 :  
\_\_\_\_\_, JR., :  
 :  
Defendant. :

MOTION TO REQUIRE THE GOVERNMENT TO SHOW WHAT  
OPERATIONS THE COMPUTER WAS INSTRUCTED TO PERFORM  
AND TO SHOW THE PRECISE INSTRUCTIONS GIVEN DURING THE  
ANALYSIS OF THE DEFENDANT'S BREATH SAMPLE

Comes Now, the Defendant in the above-styled case, by and through the undersigned counsel of record, and respectfully moves this Honorable Court to require the Government to show what operations the computer within the Intoxilyzer 5000 was instructed to perform in the analysis of the Defendant's breath sample, and the Defendant further moves this Honorable Court to require the Government to show the precise instructions given to the Intoxilyzer 5000 during the analysis of the Defendant's breath sample. The Defendant respectfully shows this Honorable Court the following:

Without the directions provided to the computer within the Intoxilyzer 5000, which produced the alleged breath-alcohol

results of the Defendant, the Defendant cannot properly test the validity of the results of the computer nor can he properly examine witness testifying as to the alleged results of the test.

The Defendant has presented extensive evidence to this Court regarding the role of the source code in determining how the computer within the Intoxilyzer 5000 calculated the Defendant's alleged breath alcohol concentration. The computer within the Intoxilyzer 5000 is the heart and brains of the machine. The source code contains the directives given to the computer. The Defendant has sought the source code through every means known to him.