

STATE OF MARYLAND

v.

WILLIAM PORTER

2015 SEP 30 PM 2: 28

IN THE
CIRCUIT COURT FOR
BALTIMORE CITY

CASE No. 115141037

* * * * *

**STATE'S RESPONSE TO DEFENDANT'S MOTION TO COMPEL TRANSCRIPTS OF
DEFENDANT'S STATEMENTS**

Now comes the State of Maryland, by and through Marilyn J. Mosby, the State's Attorney for Baltimore City; Michael Schatzow, Chief Deputy State's Attorney for Baltimore City; Janice L. Bledsoe, Deputy State's Attorney for Baltimore City; and Matthew Pillion, Assistant State's Attorney for Baltimore City; and pursuant to Rule 4-263(i)(3) responds to the Defendant's Motion to Compel Transcripts of Defendant's Statements and requests that the Court deny the Defendant's Motion as moot in part and without merit in remaining part because:

1. The Defendant requested on September 25, 2015, that the State provide to him a transcript of his videotaped statement. The State has previously provided the Defendant with a copy of the statement's original recording. Although the State is not required to transcribe defendant statements under Rule 4-263, because the State in this case did, in fact, pay to have a transcript produced, the State has now provided the Defendant with the transcript of his statement as requested, rendering his Motion moot in that regard.

2. The Defendant has also requested that the State provide to him transcripts of the statements of Defendant Miller in case number 115141034, Defendant Nero in case number 115141033, Defendant White in case number 115141036, and Defendant Rice in case number 115141035. Rule 4-263(d)(1) only requires that the State disclose the written transcribed statements of the "defendant and of any co-defendant" In this case, the Court has ordered

that Defendants Miller, Nero, White, and Rice will have separate trials. Defendant Porter, therefore, has no “co-defendant” and is not entitled to the transcripts of defendant statements in other cases.¹

Wherefore, the State requests that this Court deny the Defendant’s Motion to Compel Transcripts of Defendant’s Statements as moot regarding his own transcribed statement and as without merit regarding transcribed statements of defendants in other cases.

Respectfully submitted,

Marilyn J. Mosby



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¹ The State’s initial discovery packet on June 26, 2015, was jointly provided to all Defendants in cases 115141032-037, so Defendant Porter already has a copy of the recorded statements of Defendants Miller, Nero, White, and Rice. As with Defendant Porter, the State has provided those other Defendants with transcripts of their own statements, which they are presumably free to share with each other.



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CERTIFICATE OF SERVICE

I hereby certify that on this 30th day of September, 2015, a copy of the State's Response to the Defendant's Motion to Compel Transcripts of Defendant's Statements was mailed and e-mailed to:

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