

STATE OF MARYLAND

\* IN THE

Plaintiff

\* CIRCUIT COURT

v.

\* FOR

ALICIA WHITE

\* BALTIMORE CITY

Defendant

\* Case No. 115141036

\* \* \* \* \*

**DEFENDANT'S MOTION FOR SUBPOENA FOR TANGIBLE EVIDENCE  
REGARDING MEDICAL RECORDS**

Defendant Alicia White, through her counsel, moves pursuant to Md. Rule 4-264, and requests that this Court order the issuance of a subpoena commanding the production of medical records that are relevant to this case.

On December 7, 2015, the State provided Sergeant White with evidence that the deceased in this case, Mr. Gray, had a preexisting spine injury or condition. *See Ex. A*, Email and attached Memorandum of Sgt. John Herzog. The State contends that Mr. Gray died as a result of a spinal injury, and charges Sergeant White in Mr. Gray's death. The State's own investigation revealed information concerning past attempts by Mr. Gray to injure himself while in custody.<sup>1</sup> *See Ex. B*, Progress Reports for Case 15H0086 (May 17 & 22, 2015). However, only just recently, the State disclosed to Sergeant White a memorandum dated May 1, 2015 that states that Mr. Gray, in an interview on March 31, 2015 at the Western District Station, told police officers that, "I hurt my back," or "I have

<sup>1</sup> Sergeant White has filed a separate motion, concurrent with the instant motion, for a subpoena on the custodian of records of the Maryland Department of Public Safety & Corrections for any administrative, medical, or disciplinary records related to Mr. Gray for any period of incarceration, which the Defendant incorporates here.

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BALTIMORE CITY  
2016 JAN 15 P 4: 27  
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