

STATE OF MARYLAND

\* IN THE

\* CIRCUIT COURT

v.

\* FOR

ALICIA WHITE,

\* BALTIMORE CITY

Defendant.

\* CASE NO. 115141036

\* \* \* \* \*

CRIMINAL DIVISION

2016 JAN 15 P 4: 26

RECEIVED FOR RECORD  
CIRCUIT COURT FOR  
BALTIMORE CITY

**DEFENDANT ALICIA WHITE'S MOTION IN LIMINE  
TO EXCLUDE VIDEOGRAPHIC AND PHOTOGRAPHIC EVIDENCE  
RELATING TO MR. GRAY'S ARREST**

Comes now, Defendant, Sergeant Alicia White, by and through undersigned counsel, Ivan J. Bates, Esq., Tony N. Garcia, Esq., Mary M. Lloyd, Esq., and Bates & Garcia, LLC, Attorneys at Law, and hereby respectfully files this Motion in Limine to exclude video graphic evidence in the above-captioned matter, and in support states as follows:

**INTRODUCTION**

The above-captioned matter is scheduled for trial on February 8, 2016. The State has charged Defendant (herein, "Sgt. White") with manslaughter, second-degree assault, misconduct in office, and reckless endangerment. Sgt. White seeks to exclude video graphic evidence of the arrest of Freddie Gray that was obtained from civilians. These videos, taken by bystanders with their cellphones, depict the detainment and arrest of Mr. Gray. They show, from various points of view, the moments after Officers Edward Nero and Garrett Miller arrested Mr. Gray. Mr.

Gray was placed into a Baltimore City Police Department transport van by further members of the Baltimore City Police Department. There is no allegation that Mr. Gray was injured during the course of his arrest. The videos have been broadly publicized in the media and on the Internet.

Pursuant to a request for discovery, the State provided videos from four civilian cell phones as well as footage from CCTV cameras. The defense now seeks to exclude these videos from being introduced in the State's case. The videos are identified in discovery as follows:

Cell\_Phone\_Video\_mp4  
(Presumed to have been taken by potential witness Brandon Ross)

Cell\_Video\_Daq\_Walker\_1of2\_20971021\_162421\_mp4  
(Presumed to have been taken by potential witness Daquantay Walker)

Cell\_Video\_Daq\_Walker\_2of2\_21230217\_195258\_mp4  
(Presumed to have been taken by potential witness Daquantay Walker)

Cell\_Video\_Gray\_Stepping\_into\_Van\_084308\_mp4  
(Presumed to have been taken by potential witness Brandon Ross)

Closed-Circuit Television footage  
(Taken by various cameras.)

The Defense seeks to exclude this evidence (any and all videos of the arrest and subsequent placement of Mr. Freddie Gray into the Baltimore City Police Department transport van), as it is irrelevant, immaterial, and highly prejudicial to the Defendant, as such inadmissible under the Maryland Rules of Evidence.

