

RECEIVED FOR RECORDS
CIRCUIT COURT

FOI
REQ.
RE
2016 JAN -6 A
CIV

STATE OF MARYLAND	*	IN THE	2016 JAN -6 A 10: 03
Plaintiff	*	CIRCUIT COURT	
v.	*	FOR	
CAESAR GOODSON	*	BALTIMORE CITY	
Defendant	*	Case No. 115141032	

* * * * *

DEFENDANT'S OPPOSITION TO STATE'S MOTION IN LIMINE TO PROHIBIT THE TESTIMONY OF CHARLES G. RUSSELL, OR IN THE ALTERNATIVE, LIMIT HIS TESTIMONY TO ACCIDENT RECONSTRUCTION

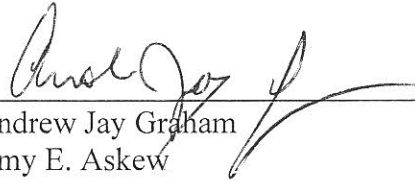
Defendant Caesar Goodson, through his counsel, opposes the State's Motion *in Limine* to Prohibit the Testimony of Charles G. Russell, or in the Alternative, Limit His Testimony to Accident Reconstruction. The State has, again, rushed to file a motion without picking up the phone or waiting a reasonable amount of time for a response to written correspondence.

On December 17, 2015, the State requested to inspect all written reports and statements of Officer Goodson's expert witnesses. Within a week, Officer Goodson provided the State with all of the materials required to be disclosed pursuant to Md. Rule 4-263 by electronic file transfer. Counsel for Officer Goodson received no further communication regarding the expert discovery disclosures until the eve of the hearing on motions in this case.

At 7:10 p.m. on Monday, January 4, 2015, the State emailed a letter to counsel for Officer Goodson raising concerns that the defense had not provided all written materials in compliance with Rule 4-263. Ex. A. The next morning, at 11:10 a.m., while counsel for Officer Goodson was in the process of responding to the letter, the State emailed the Motion *in Limine* to preclude Mr. Russell, speculating that the defense has not provided some documentation that the State needs so it can prepare for Mr. Russell's testimony.

Had the State waited for Officer Goodson to respond, it would have had time to read Officer Goodson's letter, sent by email at 1:06 p.m. on January 5th, confirming that there are no written materials that have not been disclosed. Ex. B. The State already had been provided a video recording that was shot by Mr. Russell during the inspection of the police wagon in question, Ex. C, and Mr. Russell has not made any other written statement or report. The experts disclosed by Officer Goodson were under no obligation to produce any report in the first instance, so it is unclear what additional material the State thinks it is entitled to receive.

In sum, the State's motion could have been avoided by a simple conversation between counsel. However, the State's hastiness is once again wasting the Court's time on unnecessary matters. The State's Motion should be denied.

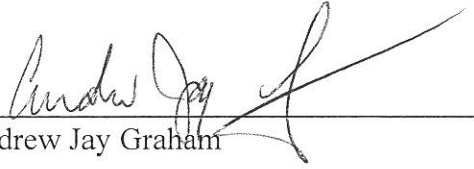


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CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of January 2016, a copy of the foregoing paper was mailed, first-class postage prepaid to:

Michael Schatzow, Chief Deputy State's Attorney
Office of the State's Attorney for Baltimore City
120 East Baltimore Street
Baltimore, Maryland 21202



Andrew Jay Graham

Justin A. Redd

From: Andrew Jay Graham
Sent: Monday, January 04, 2016 7:17 PM
To: Amy E. Askew
Cc: Jane M. Walker
Subject: Fwd: State v. Goodson
Attachments: image002.png; ATT00001.htm; Letter of Discovery of Disclosures.pdf; ATT00002.htm

Andrew Jay Graham
Kramon & Graham, P.A.

Begin forwarded message:

From: Michael Schatzow <MSchatzow@stattorney.org>
Date: January 4, 2016 at 7:10:22 PM EST
To: "agraham@kg-law.com" <agraham@kg-law.com>, "matthew.fraling@mdlobbyist.com" <matthew.fraling@mdlobbyist.com>
Cc: Janice Bledsoe <JBledsoe@stattorney.org>
Subject: State v. Goodson

Counsel, please read the attached letter.

Michael Schatzow
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