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**Criminal Div.
Circuit Court For
Baltimore City**

STATE OF MARYLAND

* IN THE

Plaintiff

* CIRCUIT COURT

v.

* FOR

CAESAR GOODSON

* BALTIMORE CITY

Defendant

* Case No. 115141032

* * * * *

MOTION FOR SUMMONS OF OUT OF STATE WITNESS

Defendant Officer Caesar Goodson, by his counsel, moves this Court to issue the attached order, pursuant to Md. Code Ann., Cts. & Jud. Proc. § 9-303 and 42 Pa. Cons. Stat. Ann. § 5974 (a), certifying that DONTA ALLEN is a material witness in the Defendant's case and that his presence as a witness is required at trial, and states in support:

1. That the Defendant is charged with Second Degree Murder, Manslaughter, Second Degree Assault, Misconduct in Office, and Reckless Endangerment as a result of his alleged involvement in the arrest and subsequent death of Freddie Gray.
2. That it is alleged that the victim, Freddie Gray, sustained injuries during his transport in a police transport van.
3. That the requested witness, Donta Allen, was a passenger in the same transport vehicle as the victim during the ride that allegedly caused Mr. Gray's injuries.
4. That the requested witness, Donta Allen, gave statements to police investigators regarding his observation of Mr. Gray's actions during the transportation.

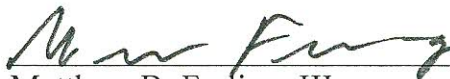
5. That the requested witness's observations of Mr. Gray during his transportation and the witness's subsequent statements to investigators regarding those observations make him a material witness in this matter.
6. That the requested witness is currently being held in York County Prison in York, Pennsylvania and his offender number is 213834.
7. That the requested witness is currently scheduled to appear in the Court of Common Pleas of York County, Pennsylvania for a pretrial conference on February 17, 2016.
8. That the Commonwealth of Pennsylvania allows that upon certification by a judge of another state court that a person confined within the Commonwealth who may be a material witness in a criminal proceeding and whose presence will be required during a specified time a court having jurisdiction over the person confined and upon notice to the Bureau of Correction, the court shall fix a time and place for a hearing and shall make an order directed to the person having custody of the prisoner requiring that the prisoner be produced before it at the hearing. 42 Pa. Cons. Stat. Ann. § 5974.

WHEREFORE, the Defendant respectfully requests that this court grant the attached order certifying that Mr. Donta Allen is a material witness in this matter and that his presence is required for trial so that the certification can be presented to the District Court/Court of Common Pleas for the Commonwealth of Pennsylvania, County of York in order for a hearing to be granted to request an order directing the York County Prison

to produce Mr. Donta Allen, ID # 213834 on or before January 6, 2015 and every day following until a verdict or a judgment has been reached in this matter.



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Counsel for Officer Caesar Goodson

STATE OF MARYLAND

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* FOR
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* * * * *

REQUEST FOR HEARING

Defendant Caesar Goodson respectfully requests a hearing on his Motion for Summons of Out of State Witness.



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Counsel for Officer Caesar Goodson

CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of December 2015, a copy of the foregoing paper was sent by first class mail, 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 *nm*

STATE OF MARYLAND

Plaintiff

v.

CAESAR GOODSON

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* IN THE

* CIRCUIT COURT

* FOR

* BALTIMORE CITY

* Case No. 115141032

* * * * *

ORDER

It is this _____ day of _____, 2015, by the Circuit Court for Baltimore City, pursuant to Md. Code Ann., Cts. & Jud. Proc. § 9-303 and 42 Pa. Cons. Stat. Ann. § 5974 (a), hereby

ORDERED that Donta Allen, ID # 213834, who is currently being held in York County Prison, has been found to be a material witness in the matter of *State v. Caesar Goodson*, Baltimore City Circuit Court Case Number 115141032, and that his presence will be required in Part 31, Room 528, Courthouse East, 111 N. Calvert Street, Baltimore, Maryland 21202 on January 6, 2016 at 9:30 a.m.; and it is further

ORDERED that Mr. Donta Allen will be required to remain available for testimony until a verdict or judgment has been reached in this matter; and it is further

ORDERED that the Baltimore City Sheriff's Department and/or the Baltimore City Police Department be assigned to pick up, transport, and maintain custody of the witness throughout the trial as well as return the witness to the Bureau of Corrections in the Commonwealth of Pennsylvania at the conclusion of the trial; and it is further

ORDERED that during the trial, Mr. Allen be held in a correctional facility in the in the Baltimore area; and it is further

ORDERED that the Baltimore City Sheriff's Department and/or the Baltimore City Police Department be assigned to transport the requested witness to appear for his currently scheduled pretrial conference in the Court of Common Pleas of York County, Pennsylvania on February 17, 2016.

Judge
Circuit Court for Baltimore City