

2016 JUN -3 P 2:59

CRIMINAL DIVISION

STATE OF MARYLAND

* IN THE

* CIRCUIT COURT

v.

* FOR

OFFICER GARRETT MILLER

* BALTIMORE CITY

* Case No.: 115141034

* * * * *

MOTION TO WITHDRAW DEFENSE MOTION IN LIMINE PRECLUDING
REFERENCE TO OR ARGUMENT ABOUT THE LEGALITY OF THE KNIFE
RECOVERED FROM MR. GRAY IN THE COURSE OF HIS DETENTION AND
ARREST

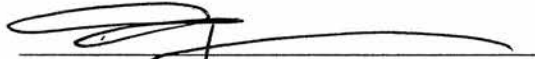
Defendant, Officer Garrett Miller, by undersigned counsel, files this Motion to Withdraw a previously filed Motion in Limine requesting the Court to order the preclusion of any and all reference to or argument regarding the legality of the knife recovered from Mr. Gray in the course of his detention or arrest. In support, Defendant states the following:

1. On February 12, 2016 Officer Garrett Miller, through counsel, filed a Motion in Limine requesting the exclusion of evidence or argument regarding the legality of a spring-assisted knife recovered from the decedent, Mr. Freddie Gray.
2. Based on the evidence and arguments presented by the State in State v. Nero, Case No. 115141033, counsel seeks to introduce evidence regarding both the recovery and legality of the weapon seized from Mr. Gray.

3. The Defense moves to withdraw the previously filed Motion in Limine, without prejudice.

WHEREFORE Defendant Officer Garrett Miller respectfully requests this Honorable Court to allow counsel to withdraw the defense request to order the preclusion of any and all reference to or argument regarding the legality of the knife recovered from Mr. Gray in the course of his detention or arrest.

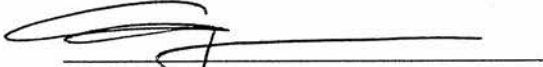
Respectfully submitted,



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Brandon R. Mead
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Baltimore, Maryland 21201
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Attorneys for Officer Garrett Miller

CERTIFICATION OF SERVICE

I HEREBY CERTIFY that on the 3rd day of June 2016, a copy of the foregoing Motion was mailed to Kristen Blumer, Assistant State's Attorney for Baltimore City, 120 E. Baltimore Street, 9th Floor, Baltimore, Maryland 21202.


Catherine Flynn