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BALTIMORE CITY
CRIMINAL DIVISION

STATE OF MARYLAND	*	IN THE
Plaintiff	*	CIRCUIT COURT
v.	*	FOR
GARRETT MILLER	*	BALTIMORE CITY
Defendant	*	Case No. 115141034

* * * * * * * * * * * * *

SUPPLEMENTAL MOTION FOR KASTIGAR HEARING

Now comes Defendant, Garrett Miller, by undersigned counsel, and files this Supplemental Motion for a Hearing pursuant to *Kastigar v. United States* and for reasons states:

1. Assistant State's Attorney Lisa Phelps entered her appearance in the aforementioned case on May 16, 2016.
2. Assistant State's Attorney Sara David entered her appearance in the aforementioned case on May 16, 2016.
3. ASA Phelps and ASA David replaced Mr. Michael Schatzow and Ms. Janice Bledsoe as the prosecutors in this case.
4. ASA Phelps and ASA David took over the prosecution in order to avoid any "taint" due to the State's decision to compel Officer Miller's testimony pursuant to a grant of immunity.
5. ASA Kristin Blumer was assigned to act as a liaison between the "clean team" and all other members of the State's Attorney's Office.
6. Officer Miller testified on May 16, 2016.

7. It is the understanding of undersigned counsel that on several occasions after Officer Miller's testimony, Mr. Schatzow and other members of the State's Attorney's Office met with ASA Phelps and ASA David to discuss the prosecution of Officer Miller.
8. ***Any*** communications regarding the prosecution of Officer Miller with the "clean team" could irreparably taint the prosecution of this case.
9. It is imperative that a hearing be scheduled so that every member of the State's Attorney's Office that engaged in communications with the "clean team" be called to testify as to the nature of these communications in order for the Court to determine if there has been a taint.
10. Simultaneously with the filing of this Motion, counsel has issued subpoenas for the following members of the State's Attorney's Office: Michael Schatzow; Janice Bledsoe; Patricia DiMaio; Kristin Blumer; Lisa Phelps and Sara David.
11. It is anticipated that all of the aforementioned prosecutors will be called to testify as to any and all meetings after May 16, 2016 regarding the prosecution of Officer Garrett Miller.

WHEREFORE, the Defendant respectfully requests that this Honorable Court:

A. Schedule a hearing in this matter;

B. For such other and further relief as the nature of his cause may require.

Respectfully submitted,

Catherine Flynn, Esq.
Brandon Mead, Esq.
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of July, 2016 a copy of the foregoing Motion was hand-delivered to the Office of the State's Attorney for Baltimore City, 120 East Baltimore Street, Baltimore, Maryland 21202.

Catherine Flynn