IN THE MATTER OF	*	IN THE
OFFICER GARRETT MILLER'S	*	CIRCUIT COURT FOR
TESTIMONY AS A STATE'S WITNESS	*	BALTIMORE CITY No. 991

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

GARRETT MILLER'S OBJECTION TO THE STATE'S MOTION TO COMPEL TESTIMONY

Now comes Officer Garrett Miller, by and through his undersigned counsel and files this Objection to the State's Motion to Compel and for reasons states:

1. The Court of Appeals issued a Per Curiam Order on March 8, 2016 in White v. State and Goodson v. State, but to date has yet to issue a written opinion.
2. Until the Court of Appeals issues an opinion, Officer Miller maintains an objection to the State's Motion to Compel his testimony.
3. Unlike Officer William Porter, Officer Miller has not yet testified in his own trial and therefore maintains his right to remain silent, pursuant to the United State's Constitution and the Maryland Declaration of Rights.
4. In addition, based upon a review of the State's investigation of this case, counsel believes that the State will allege that the Statement of Probable Cause drafted by Officer Miller was not truthful.
5. If the State maintains its position regarding the Statement of Probable Cause, it would be inappropriate to call him as a witness in the State's case in chief.

WHEREFORE, the Defendant respectfully requests that this Honorable Court:

A. Deny the State's Motion to Compel.

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

Respectfully submitted,

Catherine Flynn
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410-727-6400

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14th day of April, 2016, a copy of the foregoing Objection to Motion to Compel was mailed, postage pre-paid to ASA Janice Bledsoe, 120 East Baltimore Street, Baltimore Maryland 21201.

Catherine Flynn