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STATE OF MARYLAND

2015 SEP 16 PM 4:06 IN THE  
\*  
CIRCUIT COURT FOR  
BALTIMORE CITY  
\*  
CASE No. 115141037  
\*

V.

WILLIAM PORTER,

\*\*\*\*\*

**MOTION FOR SUBPOENA FOR TANGIBLE EVIDENCE**

Defendant, William Porter, by undersigned counsel, and hereby file this Motion for Subpoena for Tangible Evidence pursuant to Maryland Rule 4-264 hereby moves this Honorable Court to order the issuance of a *subpoena duces tecum*, commanding the custodian of records for the Office of the State’s Attorney to produce before trial the documents and other tangible evidence that are relevant to the above-captioned criminal proceedings, and in support thereof states:

1. The Defendant is scheduled for trial on October 13, 2015.
2. This case involves the investigation into the death of Freddie Gray on or about April 19, 2015.
3. It is the belief of undersigned counsel that the Office of the State’s Attorney conducted a comprehensive, thorough and independent investigation of the facts and circumstances surrounding this incident.
4. It is the belief of undersigned counsel that the Office of the State’s Attorney worked 12 to 14 hours a day, interviewing dozens of witnesses, and collecting documents and other types of evidence regarding this incident.

5. In addition, it is the belief of undersigned counsel that the Office of the State's Attorney was assisted by the Baltimore City Sheriff's Department in providing independent investigation support.
6. It is the belief of undersigned counsel that the investigation conducted by the Office of the State's Attorney will be relevant and necessary to the defense in this case.

WHEREFORE, Defendant, William Porter, hereby respectfully request that this Honorable Court:

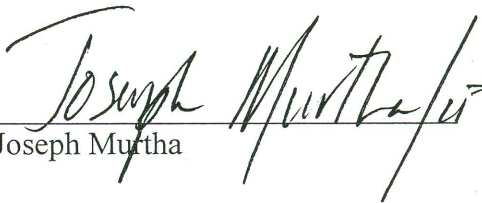
- A. Order issue of a *subpoena duces tecum*, commanding the custodian of records for the Office of the State's Attorney to produce the documents and other tangible objects described herein on or before September 25, 2015:
- B. For such other and further relief as the nature of their cause may require.

Respectfully submitted,

  
\_\_\_\_\_  
Joseph Murtha, Esquire  
Murtha, Psoras, & Lanasa, LLC  
1301 York Road, Suite 200  
Lutherville, Maryland 21093  
Phone (410) 583-6969  
Fax (410) 583-4706  
*Counsel for Officer William Porter*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 16th day of September, 2015, the foregoing Motion for Subpoena for Tangible Evidence was hand delivered to: Janice Bledsoe, Office of the State's Attorney, 120 East Baltimore Street, 9<sup>th</sup> Floor, Baltimore, Maryland 21201.

  
Joseph Murtha

STATE OF MARYLAND

V.

WILLIAM PORTER,

\* IN THE  
\* CIRCUIT COURT FOR  
\* BALTIMORE CITY  
\*  
\* CASE No. 115141037  
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**ORDER**

Upon consideration of the Defendant's Motion for Subpoena of Tangible Evidence, and any answer thereto submitted by the State, it is hereby this \_\_\_\_ day of September 2015 by the Circuit Court for Baltimore City:

**ORDERED**, pursuant to Maryland Rule 4-264, that the motion is granted and the Clerk of the Court is directed to issue the attached subpoena.

\_\_\_\_\_  
Judge, Circuit Court for Baltimore City

STATE OF MARYLAND

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IN THE  
CIRCUIT COURT FOR  
BALTIMORE CITY

V.

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WILLIAM PORTER,

\*

CASE No. 115141037

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**SUBPOENA**

TO: Office of the State's Attorney  
Custodian of Records  
120 East Baltimore Street  
Baltimore, Maryland 21202

Requested by: Joseph Murtha, Esquire  
Murtha, Psoras, & Lanasa, LLC  
1301 York Road, Suite 200  
Lutherville, Maryland 21093  
Phone (410) 583-6969  
Fax (410) 583-4706  
*Counsel for Officer William Porter*

**YOU ARE HEREBY COMMANDED** to appear in the Law Offices of Murtha, Psoras & Lanasa, LLC 1301 York Road, Suite 200, Lutherville, Maryland 21093 on September 28, 2015 at 9:00 am and bring the following documents, books, or papers or other things, including but limited to the following correspondence, documents and electronic communication relating to the State's investigation into the injury and death of Freddie Gray:

- Any and all documents, evidence, witness statements, and notes produced in the course of the investigation conducted by the Office of the State's Attorney between April 12, 2015 and May 1, 2015 into the injuries to and death of Freddie Gray;
- All inter-office emails written between April 12, 2015 and May 1, 2015 regarding the State's Attorney's Office's investigation into the injuries to and death of Freddie Gray;
- All emails written between April 12, 2015 and May 1, 2015 regarding the State's Attorney's Office's investigation into the injuries to and death of Freddie Gray, between the State's Attorney's Office and;
  - the Baltimore City Police Department,
  - the Baltimore City Mayor's Office,
  - the Law Offices of Murphy, Falcon and Murphy,
  - the Baltimore City Sheriff's Department,

- the Office of the Medical Examiner,  
-or any other individual or entity who played a role in the State's Attorney's Office investigation into the injury and death of Freddie Gray;
  
- Phone records, voice mails and text messages made or written between April 12, 2015 and May 1, 2015 between employees of the State's Attorney's Office regarding the State's Attorney's Office investigation of the injuries to and death of Freddie Gray;
  
- Phone records, voice mails and text messages made or written between April 12, 2015 and May 1, 2015 regarding the State's Attorney's Office's investigation of the injuries to and death of Freddie Gray between employees of the State's Attorney's Office and;
  - the Baltimore City Police Department,
  - the Baltimore City Mayor's Office,
  - the Law Offices of Murphy, Falcon and Murphy,
  - the Baltimore City Sheriff's Department,
  - the Office of the Medical Examiner,
  - or any other individual or entity who played a role in the State's Attorney's Office investigation into the injury and death of Freddie Gray;

If you produce the requested documents in the time commanded, you need not appear in person at the place of production or inspection unless commanded to appear for trial. Failure to obey this Subpoena may result in your being charged with contempt of court and being taken into custody under a warrant or body attachment.

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Judge, Circuit Court for Baltimore City