

STATE OF MARYLAND

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2015 OCT -6 PM 4:10  
CIRCUIT COURT

v.

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CIRCUIT COURT  
FOR BALTIMORE CITY  
CRIMINAL DIVISION

\*

BALTIMORE CITY

WILLIAM PORTER  
Defendant

\*

CASE NO(s): 115141037

\* \* \* \* \*

**MOTION FOR SUBPOENA FOR TANGIBLE EVIDENCE**

Now comes the Defendants, William Porter, by and through his attorneys Joseph Murtha and Gary Proctor, and hereby files 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 Mercy Medical Center to produce before trial the documents and other tangible evidence that is relevant to the above-captioned criminal proceedings, and in support thereof states:

1. The Defendant is scheduled for trial on November 30, 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 information from the Mercy Medical Center will be relevant and necessary to the defense in this case.

WHEREFORE, the Defendant respectfully requests that this Honorable Court:

- A. Order issue of a *subpoena duces tecum*, commanding the custodian of records for the Mercy Medical Center to produce the documents and other tangible objects described herein on or before October 16, 2015:
- B. For such other and further relief as the nature of his cause may require.



Joseph Murtha  
Murtha, Psoras & Lanasa, L.L.C.  
1301 York Road  
Suite 200  
Lutherville, Maryland 21093  
Attorney for Defendant Porter

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 6th day of October, 2015, the foregoing Motion for Subpoena for Tangible Evidence was hand delivered to: Office of the State's Attorney, 120 East Baltimore Street, 9<sup>th</sup> Floor, Baltimore, Maryland 21201.



Joseph Murtha

STATE OF MARYLAND

\* IN THE

\* CIRCUIT COURT

v.

\* FOR

\* BALTIMORE CITY

WILLIAM PORTER

Defendant

\* CASE NO(s): 115141037

\* \* \* \* \*

**ORDER**

Upon consideration of the Defendants' Motion for Subpoena of Tangible Evidence, and any answer thereto submitted by the State, it is hereby this \_\_\_\_ day of October 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

\* IN THE

\* CIRCUIT COURT

v.

\* FOR

\* BALTIMORE CITY

WILLIAM PORTER

Defendant

\* CASE NO(s): 115141037

\* \* \* \* \*

**SUBPOENA**

TO: Mercy Medical Center  
Custodian of Records  
345 St. Paul Place  
Baltimore, Maryland 21202

Requested by: Joseph Murtha, Esquire  
Murtha, Psoras & Lanasa, L.L.C.  
1301 York Road, Suite 200  
Lutherville, Maryland 21093  
(410) 727-6400 (Office) / (410) 727-6404 (Fax)

**YOU ARE HEREBY COMMANDED** to appear in the Law Offices of  
Murtha, Psoras & Lanasa, 1301 York Road, Suite 200, Lutherville, Maryland  
21093 on October 16, 2015 at 9:00 am and bring the following documents, books,  
or papers or other things:

1. All documents regarding any and all hospital, clinic, medical records and charts from pertaining to: **Freddie Gray, Date of Birth August 16, 1989;** including, but not limited to: any and all new patient data information or registration; all history and physicals performed on patient; all preoperative testing; all inpatient records; all outpatient records; all hospital and emergency room records; doctors' records and nurses' notes; therapy notes; all assessments; all records of consultation including evaluation and treatment; all correspondence and handwritten notes; all records and correspondence from other providers or insurance providers; any and all charts and reports; all radiology diagnostic study

reports; all pathology and cytopathology report; all laboratory reports and cumulative summaries; and any and all electronic patient data, including data which indicates any view, review, amendment or addition to any patient's information and/or care; all itemized bills; and all other documents in your possession which relate to care and treatment provided to the patient.

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