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STATE OF MARYLAND

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IN THE  
CIRCUIT COURT FOR  
BALTIMORE CITY

v.

2015 OCT 13 PM 12:57

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WILLIAM PORTER

JUDICIAL DISTRICT  
BALTIMORE CITY  
CRIMINAL DIVISION

CASE No. 115141037

\* \* \* \* \*

**STATE'S RESPONSE TO DEFENDANT'S MOTION FOR SUBPOENA FOR TANGIBLE EVIDENCE**

Now comes the State of Maryland, by and through Marilyn J. Mosby, the State's Attorney for Baltimore City; Michael Schatzow, Chief Deputy State's Attorney for Baltimore City; Janice L. Bledsoe, Deputy State's Attorney for Baltimore City; and Matthew Pillion, Assistant State's Attorney for Baltimore City; and pursuant to Rule 4-264 responds as follows to the Defendant's Motion for Subpoena for Tangible Evidence filed on October 6, 2015, seeking a pretrial subpoena duces tecum directed to the University of Maryland Medical Center:

The Defendant requests that this Court issue a pretrial subpoena duces tecum pursuant to Rule 4-264 to obtain from the University of Maryland Medical Center "any and all hospital, clinic, medical records, and charts from pertaining [*sic*] to" the victim in this case, Mr. Freddie Gray, "including, but not limited to," a demand for "all outpatient records," "therapy notes, all assessments, [and] all records of consultation including evaluation and treatment," among the many other broad categories of records and information sought to be compelled. It is a well-documented fact that following the arrest underlying this case, Mr. Gray was found injured and unconscious in a police transport wagon on April 12, 2015. He was transported to the University of Maryland Medical Center for emergency treatment and remained there until his death on April 19, having never regained consciousness.

This Motion, therefore, asks the Court to issue a pretrial subpoena duces tecum for information that is both irrelevant and privileged. Rule 4-264 plainly permits pretrial compelled

