

STATE OF MARYLAND

\* IN THE

v.

\* CIRCUIT COURT

ALICIA WHITE

\* FOR

Defendant.

\* BALTIMORE CITY

\* CASE NO. 115141036

RECEIVED FOR RECORD  
CIRCUIT COURT FOR  
BALTIMORE CITY

CRIMINAL DIVISION

2016 JAN 15 P 4: 25

\* \* \* \* \*  
**DEFENDANT ALICIA WHITE'S MOTION TO PRECLUDE INCONSISTENT  
PROSECUTORIAL ARGUMENT DURING HER TRIAL**

NOW COMES, Defendant, Alicia White, by and through her attorneys; Ivan J. Bates, Esquire, Tony N. Garcia, Esquire, Mary M. Lloyd, Esquire, and Bates & Garcia, LLC, and hereby files this Motion to Preclude Inconsistent Prosecutorial Argument During Her Trial, and in support thereof states as follows:

**Introduction**

During the trial of Officer Porter, the State repeatedly referred to Officer Porter as a perjurer. Officer Porter testified in his own defense that he told Sergeant White that Freddie Gray needed help while Sergeant White was present at North Avenue and Pennsylvania Avenue. During closing argument, State's Attorney Michael Schatzow suggested to the jury that Officer Porter lied about telling Sergeant White that Freddie Gray needed medical assistance while Porter, White, and Gray were at North Avenue and Pennsylvania Avenue.

Defense counsel for Sergeant White now fears that the State may duplicitously try to credit Officer Porter's testimony in Sergeant White's trial in order to support the theory that Officer Porter did, in fact, tell Sergeant White that Freddie Gray needed help at North and Pennsylvania Avenue. Such an argument in Sergeant White's trial would clearly be inconsistent with the State's previous prosecutorial theory presented in Officer Porter's trial – that Officer Porter lied about

