

11:30:59 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:30
CASE 115141036 DCM TRACK C DATE 090215 FELONY DRUG INIT
CASE 115141036 STATUS A DATE 052115 PREV ST CODEF YES CHANGE 021816
DEF WHITE, ALICIA SERGEANT ID A32385 SID 003527614 R: B S: F DOB 102484
ADDRESS 242 W 29TH STREET BALTIMORE MD 21211
DOA 000000 Cmpl 50400000 PHYS LOC CASE LOC BAL 050115
DOF 052115 TRACK NO 14-1001-52890-5 DIST CASE 5B02294451 WAR 00 CJIS RI 1
001 000 A USER MANS1 CODE 1 0910 MANSLAUGHTER DISP
ARREST/CITATION NO 0

SENTENCE	PLEA	DATE	VERDICT	DATE		
TYPE			TIME	BEG	SUSP	
PROBATION	TIME		TYPE	COST	FINE	
002 000 A USER ASLT2 CODE 1 1415			ASSAULT-SEC	DEGREE	DISP	
ARREST/CITATION NO 0						

SENTENCE	PLEA	DATE	VERDICT	DATE		
TYPE			TIME	BEG	SUSP	
PROBATION	TIME		TYPE	COST	FINE	
003 000 A USER MISC CODE 2 0645			MISCONDUCT IN	OFFICE	DISP	
ARREST/CITATION NO 0						

SENTENCE	PLEA	DATE	VERDICT	DATE		
TYPE			TIME	BEG	SUSP	
PROBATION	TIME		TYPE	COST	FINE	
ARREST/CITATION NO 0						

NEXT PAGE

P/N

PAGE 001

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[Handwritten Signature]

2/19/16

LAVINIA G. ALEXANDER, CLERK



11:31:00 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:30
CASE 115141036 ST A WHITE, ALICIA SERGEANT A32385 COD Y DCM C 090215
004 000 A USER RECKL CODE 1 1425 RECKLESS ENDANGERMENT DISP
ARREST/CITATION NO 0

SENTENCE	TYPE	PLEA	DATE	VERDICT	DATE	SUSP
			DATE	TIME	BEG	FINE
		PROBATION	TIME	TYPE	COST	
EVENT DATE	OPER	PART	TIME	ROOM	REAS /	EVENT COMMENT
101415		P31	09:30	528	PMOT	
020816		P31	09:30	528	JT	
CASI 052115	SCB	CASE	ADDED	THROUGH	ON-LINE	ON THIS DATE 20150522
COMM 052115	SCB	INDICTMENT	FILED			
COMM 052115	SCB	CC#	7150400000			
COMM 052115	SCB	FILED	ASA - BLED	SOE, JANICE L		, ESQ 68776
MOTF 052715	CNN	MOTION	FOR	SPEEDY	TRIAL	
MOTF 052715	CNN	MOTION	TO	PRODUCE	DOCUMENTS	
MOTF 052715	CNN	REQUEST	FOR	DISCOVERY		
MOTF 052715	CNN	MOTION	TO	SUPPRESS	PURSUANT	TO MD 4-252 AND 4-253
MOTF 052715	CNN	MOTION	FOR	GRAND	JURY	TESTIMONY
MOTF 052715	CNN	DEMAND	FOR	CHEMIST		
FILE 052715	CNN	FILED	ADF - BATES,	IVAN		, ESQ 43061
COMM 052715	CNN	DEFENDANT	WHITE'S	DEMAND	FOR	BILL OF PARTICULARS FILED

NEXT PAGE

P/N

PAGE 002

11:31:01 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:30
CASE 115141036 ST A WHITE, ALICIA SERGEANT A32385 COD Y DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 052715 CNN JOINT MOTION TO DISMISS FOR PROSECUTORIAL MISCONDUCT,
COMM 052715 CNN OR IN THE ALTERNATIVE, FOR SANCTIONS FILED
COMM 052715 CNN JOINT MOTION FOR RECUSAL OF BALTIMORE CITY STATE'S
COMM 052715 CNN ATTORNEY'S OFFICE FILED; CC:JUDGE PETERS
COMM 052715 CNN MOTION FOR REMOVAL AND REQUEST FOR A HEARING FILED;
COMM 052715 CNN CC:JUDGE PETERS
COMM 052715 CNN MEMORANDUM IN SUPPORT OF MOTION FOR REMOVAL AND REQUEST
COMM 052715 CNN FOR A HEARING FILED; CC:JUDGE PETERS
COMM 052715 CNN APPENDIX TO DEFENDANT'S MEMORANDUM IN SUPPORT OF MOTION
COMM 052715 CNN FOR REMOVAL AND REQUEST FOR A HEARING FILED; CC:JUDGE PETERS
FILE 052715 CNN FILED ADF - GARCIA, TONY , ESQ 288350
FILE 052715 CNN FILED ADF - LLOYD, MARY , ESQ 502475
COMM 052915 CHH CSET ARRG; P08; 07/02/15; CHH
COMM 060215 SCB STATE'S MOTION TO EXTEND TIME REQUIREMENTS TO RESPOND TO
COMM 060215 SCB DEF'S MOTIONS FILED; CC: JUDGE PETERS
COMM 060315 SCB DEF'S JOINT RESPONSE IN OPPOSITION TO STATE'S MOTION
COMM 060315 SCB FOR EXTENSION OF TIME FLD (DISK INCLUDED); CC: JUDGE PETERS
COMM 060415 SCY DATE STAMPED & ORDERED 6/4/15, STATE'S MOTION TO EXTEND TIME
COMM 060415 SCY REQUIREMENTS TO RESPOND TO DEFT'S MOTIONS, & THE DEFT'S JOINT

NEXT PAGE

P/N

PAGE 003

11:31:01 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:30
CASE 115141036 ST A WHITE, ALICIA SERGEANT A32385 COD Y DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 060415 SCY RESPONSE IN OPPOSITION TO STATE'S MOTION FOR EXTENSION OF
COMM 060415 SCY TIME, & HAVING FOUND CAUSE AS REQUIRED BY RULE 1-204(A), IT
COMM 060415 SCY IS ORDERED THAT THE STATE SHALL RESPOND TO DEFT'S MOTION FOR
COMM 060415 SCY REMOVAL, JOINT MOTION FOR RECUSAL OF BALTIMORE CITY STATE'S
COMM 060415 SCY ATTY'S OFFICE, & JOINT MOTION TO DISMISS FOR PROSECUTORIAL
COMM 060415 SCY MISCONDUCT OR, IN THE ALTERNATIVE, FOR SANCTIONS BY JUNE 26,
COMM 060415 SCY 2015; & IT IS FURTHER ORDERED THAT THE DEFT MAY FILE THE
COMM 060415 SCY MANDATORY MOTIONS SET FORTH IN RULE 4-252(A) WITHIN 45 DAYS
COMM 060415 SCY AFTER THE EARLIER OF THE APPEARANCE OF COUNSEL OR THE FIRST
COMM 060415 SCY APPEARANCE OF THE DEFT BEFORE THE COURT PURSUANT TO RULE
COMM 060415 SCY 4-213(C). PETERS, J (COPIES SENT BY CHAMBERS)
COMM 060515 CNN DEFENDANT'S PRELIMINARY RESPONSE TO THE STATE'S MOTION FOR
COMM 060515 CNN ISSUANCE BANNING EXTRA JUDICIAL STATEMENTS AND DEFENDANT'S
COMM 060515 CNN RESPONSE TO THE NEWS MEDIA INTERVENORS MOTION TO INTERVENE
COMM 060515 CNN AND OPPOSE THE STATE'S MOTION FOR ISSUANCE OF ORDER BARRING
COMM 060515 CNN EXTRAJUDICIAL STATEMENTS FILED; CC: JUDGE PETERS
COMM 060815 SCB STATE'S RESPONSE TO DEF'S DEMAND FOR BILL OF PARTICULARS FLD
COMM 060815 SCB CC: JUDGE PETERS
COMM 060915 CKW SUPPLEMENT TO DEFS JOINT MOTION FOR RECUSAL OF BALTIMORE

NEXT PAGE

P/N

PAGE 004

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:30
CASE 115141036 ST A WHITE, ALICIA SERGEANT A32385 COD Y DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 060915 CKW CITY STATE'S ATTORNEY'S OFFICE FLD; CC: JUDGE PETERS
COMM 061115 SBT STATE'S RESPONSE TO DEFENDANT'S OMNIBUS MOTIONS FILED
MPRO 061515 lgj MOTION FOR PROTECTIVE ORDER ;TICKLE DATE= 20150703
COMM 061515 lgj STATE'S MOTION FOR PROTECTIVE ORDER PURSUANT TO RULE
COMM 061515 lgj 4-263(M), MEMORANDUM IN SUPPORT THEROF, AND REQUEST FOR
COMM 061515 lgj EXPEDITED HEARING
COMM 061715 SCY OFFICE OF THE STATE'S ATTORNEY FOR BALTIMORE CITY'S
COMM 061715 SCY OPPOSITION TO DEFENDANTS' JOINT MOTION FOR RECUSAL
COMM 061715 SCY OF BALTIMORE CITY STATE'S ATTORNEY'S OFFICE
COMM 061715 SCY FILED ASA - SCHATZOW, MICHAEL , ESQ 717876
COMM 062215 CMS ORDER OF COURT DATE STAMPED 6-22-15, THE COURT
COMM 062215 CMS HAVING DETERMINED THAT THE ASSIGNMENT OF THESE CASES TO
COMM 062215 CMS SINGLE JUDGE IS APPROPRIATE, IT IS THIS 19TH DAY OF
COMM 062215 CMS JUNE, 2015, ORDERED THAT THESE CASES ARE ASSIGNED TO
COMM 062215 CMS JUDGE BARRY WILLIAMS FOR ALL FURTHER PROCEEDINGS. COPIES
COMM 062215 CMS OF ALL PAPERS FILED WITH THE CLERK SHOULD BE SIMULTANEOUSLY
COMM 062215 CMS SENT TO JUDGE WILLIAMS' CHAMBERS. W. MICHEL PIERSON J.
COMM 062215 CMS ORDER OF COURT DATE STAMPED 6-22-15, UPON CONSULTATION
COMM 062215 CMS WITH THE PARTIES TO THE ABOVE-CAPTIONED CASES THROUGH

NEXT PAGE

P/N

PAGE 005

11:31:02 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:30
CASE 115141036 ST A WHITE, ALICIA SERGEANT A32385 COD Y DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 062215 CMS COUNSEL, IT IS THIS 19TH DAY OF JUNE, 2015, ORDERED THAT
COMM 062215 CMS A MOTIONS HEARING IS SCHEDULED FOR SEPTEMBER 2, 2015, AT
COMM 062215 CMS 9:30 A.M. AND FURTHER ORDERED THAT THE TRIALS IN EACH OF
COMM 062215 CMS THE ABOVE-CAPTIONED CASES ARE SCHEDULED FOR OCTOBER 13,
COMM 062215 CMS 2015, AND FURTHER ORDERED THAT THE ARRAIGNMENTS SCHEDULED
COMM 062215 CMS FOR JULY 2, 2015 SHALL BE CANCELLED UPON THE ENTRY BY
COMM 062215 CMS EACH DEFENDANT OF A PLEA OF NOT GUILTY IN WRITING PURSUANT
COMM 062215 CMS TO RULE 4-242(B) ON OR BEFORE JUNE 26, 2015.
COMM 062215 CMS W. MICHEL PIERSON J.
COMM 062215 CMS COPY OF ORDERS MAILED TO ALL COUNSEL
COMM 062215 SBT PLEA & REQUEST FOR JURY TRIAL FILED BY IVAN BATES & TONY
COMM 062215 SBT GARCIA
COMM 062315 CKW SUPPLEMENT TO OFFICE OF THE STATE'S ATTORNEY FOR
COMM 062315 CKW BALTIMORE CITY'S OPPOSITION TO DEFS JOINT MOTION FOR
COMM 062315 CKW RECUSAL OF BALTIMORE CITY STATE'S ATTORNEY'S OFFICE FLD;
COMM 062315 CKW CC: JUDGE WILLIAMS
COMM 062315 CKW OFFICE OF THE STATE'S ATTORNEY FOR BALTIMORE CITY'S
COMM 062315 CKW OPPOSITION TO DEFS JOINT MOTION TO DISMISS FOR
COMM 062315 CKW PROSECUTORIAL MISCONDUCT, OR IN THE ALTERNATIVE, FOR

NEXT PAGE

P/N

PAGE 006

11:31:03 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:30
CASE 115141036 ST A WHITE, ALICIA SERGEANT A32385 COD Y DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 062315 CKW SANCTIONS FLD
COMM 062415 SCY DATE STAMPED & ORDERED 6/24/15, THIS COURT IS IN RECEIPT OF
COMM 062415 SCY STATE'S MOTION FOR PROTECTIVE ORDER PURSUANT TO RULE 4-263
COMM 062415 SCY (M) FILED ON JUNE 15, 2015. PURSUANT TO RULE 1-203(C) AND
COMM 062415 SCY 4-252(F), ANY DEFENSE RESPONSE IS DUE ON OR BEFORE JULY 6,
COMM 062415 SCY 2015. THIS COURT NOTES THAT IN THE MOTION THE STATE
COMM 062415 SCY REQUESTED AN EXPEDITED HEARING BUT FAILED TO COMPLY WITH
COMM 062415 SCY RULE 1-204(A), WHICH PERMITS A COURT TO SHORTEN TIME FOR
COMM 062415 SCY A RESPONSE. HAVING FAILED TO SHOW THIS COURT THAT THE
COMM 062415 SCY CONDITION UNDER WHICH A MOTION TO SHORTEN TIME SHOULD BE
COMM 062415 SCY GRANTED, & IS HEREBY ORDERED THAT THE STATE'S REQUEST FOR
COMM 062415 SCY AN EXPEDITED HEARING, OR IN THE ALTERNATIVE, TO SHORTEN
COMM 062415 SCY THE TIME FOR RESPONSE, IS DENIED. WILLIAMS, J (PER LAW
COMM 062415 SCY CLERK COPIES SENT TO ATTY'S LISTED ON ORDER BY CHAMBERS)
COMM 062415 lgj SUPPLEMENT TO OFFICE OF THE STATE'S ATTORNEY FOR BALTIMORE
COMM 062415 lgj CITY'S MOTION FOR PROTECTIVE ORDER
COMM 062415 lgj FILED ASA - BLEDSOE, JANICE L , ESQ 68776
COMM 062515 1DM CASE REMOVED FROM ARRG DOCKET AS PER J. PETERS JICCR
COMM 062615 CKW STATE'S RESPONSE TO DEFS MOTION FOR REMOVAL FLD

NEXT PAGE

P/N

PAGE 007

11:31:03 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:30
CASE 115141036 ST A WHITE, ALICIA SERGEANT A32385 COD Y DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 062615 SCB STATE'S MOTION FOR JOINT TRIAL OF DEFENDANTS FLD
COMM 062615 SCB STATE'S INITIAL DISCLOSURES, NOTICES, AND MOTIONS FLD
COMM 062615 SCB STATE'S INDEX OF INFORMATION PRODUCED IN DISCOVERY FLD
COMM 063015 CZC DEF'S JOINT MOTION IN OPPOSITION TO STATE'S MOTION FOR
COMM 063015 CZC PROTECTIVE ORDER PURSUANT TO RULE 4-263 (M), MEMORANDUM
COMM 063015 CZC IN SUPPORT , AND REQUEST FOR EXPEDITED HEARING FLD.
HCAL 070215 1DM P08;0930;509 ;ARRG; ;POST;OTH;PETERS, CHARLES;8E3
HCAL 070215 SCB P08;0930;509 ;ARRG; ;OTHR; ;SFEKAS, STEPHEN;8E4
COMM 070215 SCB NO FILE IN COURT; SET IN ERROR
HCAL 070215 1DM P08;0930;509 ;ARRG; ;TSET; ;WILLIAMS, BARRY;8C9
COMM 070615 lgj DEFENDANT'S REPLY TO STATE'S RESPONSE TO DEFENDANTS'
COMM 070615 lgj MOTION FOR REMOVAL AND REQUEST FOR HEARING CC: JUDGE
COMM 070615 lgj WILLIAMS
COMM 070715 SCB CSET ARRG; P08; 07/02/15; SCB
COMM 070815 CZC DEFENDANT'S JOINT MOTION IN OPPOSITON TO STATE'S MOTION
COMM 070815 CZC FOR PROTECTIVE ORDER PURSUANT TO RULE 4-263(M)
COMM 070815 CZC MEMORANDUM IN SUPPORT, AND REQUEST FOR EXPEDITED HEARING
COMM 070815 CZC WHICH WAS FLD. 6-30-15, HAND DELIVERED TO JUDGE WILLIAMS'
COMM 070815 CZC CHAMBERS.

NEXT PAGE

P/N

PAGE 008

11:31:04 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:30
CASE 115141036 ST A WHITE, ALICIA SERGEANT A32385 COD Y DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 070815 CZC STATE'S RESPONSE TO DEFENDANTS' JOINT MOTION IN OPPOSITION
COMM 070815 CZC TO STATE'S MOTION FOR PROTECTIVE ORDER STATE'S RENEWED
COMM 070815 CZC REQUEST FOR HEARING FLD.
COMM 070915 CZC STATE'S RESPONSE TO DEFENDANTS' JOINT MOTION IN OPPOSITION
COMM 070915 CZC TO STATE'S MOTION FOR PROTECTIVE ORDER STATE'S RENEWED
COMM 070915 CZC REQUEST FOR HEARING HAND DELIVERED TO JUDGE WILLIAMS'
COMM 070915 CZC CHAMBERS.
MTAN 070915 lgj MOTION FOR SUBPOENA / TANGIBLE EVID;TICKLE DATE= 20150717
COMM 071315 SCY STATE'S APPENDIX OF EVIDENCE IN SUPPORT OF MOTION FOR
COMM 071315 SCY PROTECTIVE ORDER PURUSANT TO RULE 4-263(M) CC: WILLIAMS, J
COMM 071315 SCY FILED ASA - PILLION, MATHEW , ESQ 653491
COMM 071315 SCB DEFS MOTION TO SUPPRESS THE SEARCH AND SEIZURE OF DEFENDANTS
COMM 071315 SCB DEPARTMENTAL CELL PHONES AND REQUEST FOR FRANKS HEARING FLD
COMM 071415 SCB DEF'S OPPOSITION TO STATE'S MOTION FOR JOINER AND MOTION
COMM 071415 SCB TO SEVER CO-DEFENDANTS FLD
COMM 071415 SCB DEF'S MEMORANDUM IN SUPPORT OF DEF'S OMNIBUS MOTION TO
COMM 071415 SCB SUPPRESS STATEMENTS AND DERIVATIVE EVIDENCE FLD
MPRO 071615 CNN MOTION FOR PROTECTIVE ORDER ;TICKLE DATE= 20150803
COMM 071615 CNN STATE'S MOTION TO QUASH TRIAL SUBPOENA BASED ON ABUSE OF

NEXT PAGE

P/N

PAGE 009

11:31:04 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:30
CASE 115141036 ST A WHITE, ALICIA SERGEANT A32385 COD Y DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 071615 CNN PROCESS (COPY DELIVERED TO JUDGE WILLIAMS CHAMBERS PER
COMM 071615 CNN PER LAW CLERK)
COMM 071615 CNN STATE'S RESPONSE TO DEFENDANT'S MOTION FOR SUBPOENA FOR
COMM 071615 CNN TANGIBLE EVIDENCE (COPY DELIVERED TO JUDGE WILLIAMS CHAMBERS
COMM 071615 CNN PER LAW CLERK)
COMM 071715 SCB STATE'S SUPPLEMENTAL DISCLOSURE FLD
COMM 071715 SCB ORDER DATED AND DATE STAMPED JULY 17, 2015; THAT THE STATE'S
COMM 071715 SCB MOTION FOR PROTECTIVE ORDER PURSUANT TO RULE 4-263(M) IS
COMM 071715 SCB DENIED; B. WILLIAMS, J
COMM 072115 1gj STATE'S OPPOSITION TO DEFENDANT'S JOINT MOTION TO SUPPRESS
COMM 072115 1gj THE SEARCH AND SEIZURE OF DEFENDANT'S DEPARTMENTAL CELL
COMM 072115 1gj PHONES AND REQUEST FOR FRANKS HEARING
COMM 072315 CKW REPLY TO STATE'S RESPONSE TO DEFS MOTION FOR SUBPOENA
COMM 072315 CKW FOR TANGIBLE EVIDENCE FLD; COPY DELIVERED TO JUDGE
COMM 072315 CKW WILLIAMS PER LAW CLERK
COMM 072415 1T2 WAITING ON PHONE CALL FR. JUDGE, WILLIAMS SEC. BEFORE
COMM 072415 1T2 SCHEDULING THIS MATTER/NO TRIAL SUMMARY/7-22-15..TJ
COMM 072415 1gj STATE'S SUPPLEMENTAL DISCLOSURE
COMM 072415 1gj FILED ASA - BLEDSOE, JANICE L , ESQ 68776

NEXT PAGE

P/N

PAGE 010

11:31:05 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:30
CASE 115141036 ST A WHITE, ALICIA SERGEANT A32385 COD Y DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 072715 CPR STATE'S RESPONSE TO DEFENDANT'S MOTION TO SUPPRESS
COMM 072715 CPR STATEMENTS AND DERIVATIVE EVIDENCE
COMM 072915 CPR REPLY TO STATE'S OPPOSITION TO MOTION TO SUPPRESS THE SEARCH
COMM 072915 CPR AND SEIZURE OF DEFENDANTS' DEPARTMENTAL CELL PHONES AND
COMM 072915 CPR REQUEST FOR FRANKS HEARING
MCOM 073015 lgj MOTION TO COMPEL DISCOVERY ;TICKLE DATE= 20150807
COMM 073015 lgj COPIES DELIVERED TO JUDGE WILLIAM'S CHAMBERS OER L.C.
COMM 073115 S8T RESPONSE TO STATE'S MOTION TO QUASH TRIAL SUBPOENA BASED ON
COMM 073115 S8T ABUSE OF PROCESS FILED CC:JUDGE WILLIAMS
COMM 080415 lgj LINE FILED; COPY DELIVERED TO JUDGE WILLIAMS PER ATTORNEY
COMM 080615 SCB STATE'S SUPPLEMENTAL DISCLOSURE FLD
COMM 080615 SCB DEF'S SUPPLEMENTAL MEMORANDUM IN SUPPORT OF JOINT MOTION.
COMM 080615 SCB FOR RECUSAL OF THE BALTIMORE CITY STATE'S ATTORNEY'S OFFICE
COMM 080615 SCB COPY DELIVERED TO JUDGE WILLIAMS' CHAMBERS
COMM 080615 SCB STATE'S MOTION TO SANCTION THE DEF'S ATTORNEYS FOR
COMM 080615 SCB UNPROFESSIONAL CONDUCT AND ABUSE OF COMPULSORY PROCESS FLD
COMM 080615 SCB STATE'S MOTION TO STRIKE AS A SANCTION FOR DEF'S VIOLATION
COMM 080615 SCB OF RULE 4-263(I) OR, ALTERNATIVELY, STATE'S RESPONSE TO
COMM 080615 SCB DEF'S JOINTLY FILED MOTION TO COMPEL AND FOR SANCTIONS FLD

NEXT PAGE

P/N

PAGE 011

11:31:05 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE
CASE 115141036 ST A WHITE, ALICIA SERGEANT A32385 COD Y DCM C 090215 CASE INQUIRY 11:30
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 081115 CKW DEFENDANTS WAIVER OF APPEARANCE FLD
COMM 081415 CPR STATE'S MOTION TO QUASH HEARING SUBPOENA REQUESTED BY
COMM 081415 CPR CATHERINE FLYNN AND SERVED ON ASSISTANT STATE'S ATTORNEY
COMM 081415 CPR ALBERT PEISINGER
COMM 081415 CPR STATE'S MOTION TO QUASH HEARING SUBPOENA SERVED ON WAYNE
COMM 081415 CPR WILLIAMS
COMM 081415 CPR STATE'S MOTION TO QUASH HEARING SUBPOENA SERVED ON AVON
COMM 081415 CPR MACKEL
COMM 081415 CKW STATE'S MOTION TO QUASH HEARING SUBPOENA REQUESTED BY
COMM 081415 CKW CATHERINE FLYNN AND SERVED ON DEPUTY STATE'S ATTORNEY
COMM 081415 CKW ANTONIO GIOIA
MPRO 081415 CKW MOTION FOR PROTECTIVE ORDER ;TICKLE DATE= 20150901
MPRO 081415 SCB MOTION FOR PROTECTIVE ORDER ;TICKLE DATE= 20150901
MPRO 081415 SCB MOTION FOR PROTECTIVE ORDER ;TICKLE DATE= 20150901
MPRO 081415 SCB MOTION FOR PROTECTIVE ORDER ;TICKLE DATE= 20150901
MPRO 081415 S8T MOTION FOR PROTECTIVE ORDER ;TICKLE DATE= 20150901
COMM 081415 S8T STATE'S MOTION TO QUASH HEARING SUBPOENA REQUESTED BY
COMM 081415 S8T CATHERINE FLYNN & SERVED ON STATE'S ATTORNEY MARILYN
COMM 081415 S8T MOSBY FILED

NEXT PAGE

P/N

PAGE 012

11:31:05 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:30
CASE 115141036 ST A WHITE, ALICIA SERGEANT A32385 COD Y DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
MPRO 081415 CNN MOTION FOR PROTECTIVE ORDER ;TICKLE DATE= 20150901
COMM 081415 CNN STATE'S MOTION TO QUASH HEARING SUBPOENA REQUESTED BY
COMM 081415 CNN CATHERINE FLYNN AND SERVED ON DR. CAROL ALLEN
MPRO 081415 1gj MOTION FOR PROTECTIVE ORDER ;TICKLE DATE= 20150901
COMM 081415 1gj STATE'S MOTION TO QUASH HEARING SUBPOENA REQUESTED BY
COMM 081415 1gj CATHERINE FLYNN AND SERVED ON ASSISTANT STATE'S ATTORNEY
COMM 081415 1gj LISA GOLDBERG
COMM 081415 SCB STATE'S MOTION TO QUASH HEARING SUBPOENA REQUESTED BY
COMM 081415 SCB BY CATHERINE FLYNN AND SERVED ON DEPUTY STATE'S ATTORNEY
COMM 081415 SCB JANICE BLEDSOE FLD
MPRO 081415 SCB MOTION FOR PROTECTIVE ORDER ;TICKLE DATE= 20150901
COMM 081415 SCB STATE'S MOTION TO QUASH HEARING SUBPOENA REQUESTED BY
COMM 081415 SCB CATHERINE FLYNN AND SERVED ON CHIEF DEPUTY STATE'S
COMM 081415 SCB ATTORNEY MICHAEL SCHATZOW FLD
MPRO 081415 SCB MOTION FOR PROTECTIVE ORDER ;TICKLE DATE= 20150901
COMM 081815 SCY DATE STAMPED & ORDERED 8/17/15, STATE'S MOTION TO QUASH
COMM 081815 SCY HEARING SUBPOENA REQUESTED BY CATHERINE FLYNN AND SERVED
COMM 081815 SCY ON DR. CAROL ALLEN. ORDERED THAT THE HEARING SUBPOENA
COMM 081815 SCY SERVED ON DR. CAROL ALLEN FOR THE SEPTEMBER 2, 2015.

NEXT PAGE

P/N

PAGE 013

11:31:06 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:30
CASE 115141036 ST A WHITE, ALICIA SERGEANT A32385 COD Y DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 081815 SCY HEARING IS QUASHED. (SEE ORDER) WILLIAMS, J (CC: ALL
COMM 081815 SCY ATTORNEY OF RECORD)
MTAN 081815 CPR MOTION FOR SUBPOENA / TANGIBLE EVID; TICKLE DATE= 20150826
COMM 081815 CPR STATE'S MOTION FOR SUBPOENA FOR TANGIBLE EVIDENCE BEFORE
COMM 081815 CPR TRIAL
COMM 081915 SCY DATE STAMPED & ORDERED 8/17/15, STATE'S MOTION TO QUASH
COMM 081915 SCY HEARING SUBPOENA REQUESTED BY CATHERINE FLYNN AND SERVED
COMM 081915 SCY ON ASSISTANT STATE'S ATTORNEY, ALBERT PEISINGER. ORDERED,
COMM 081915 SCY THAT THE HEARING SUBPOENA SERVED ON ALBERT PEISINGER FOR
COMM 081915 SCY THE SEPTEMBER 2, 2015 HEARING IS QUASHED. WILLIAMS, J
COMM 081915 SCY (CC: ALL ATTORNEY'S OF RECORD)
COMM 081915 SCY DATE STAMPED & ORDERED 8/17/15, STATE'S MOTION TO QUASH
COMM 081915 SCY HEARING SUBPOENA REQUESTED BY CATHERINE FLYNN AND SERVED
COMM 081915 SCY ON ASSISTANT STATE'S ATTORNEY LISA GOLDBERG. ORDERED,
COMM 081915 SCY THAT THE HEARING SUBPOENA SERVED ON LISA GOLDBERG FOR THE
COMM 081915 SCY SEPTEMBER 2, 2015 HEARING IS QUASHED. WILLIAMS, J (CC: ALL
COMM 081915 SCY COUNSEL OF RECORD)
COMM 081915 SCY DATE STAMPED & ORDERED 8/17/15, STATE'S MOTION TO QUASH
COMM 081915 SCY HEARING SUBPOENA REQUESTED BY CATHERINE FLYNN AND SERVED

NEXT PAGE

P/N

PAGE 014

11:31:06 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:30
CASE 115141036 ST A WHITE, ALICIA SERGEANT A32385 COD Y DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 081915 SCY ON WAYNE WILLIAMS. ORDERED, THAT THE HEARING SUBPOENA
COMM 081915 SCY SERVED ON WAYNE WILLIAMS FOR THE SEPTEMBER 2, 2015 HEARING
COMM 081915 SCY IS QUASHED. WILLIAMS, J (CC: ALL COUNSEL OF RECORD)
COMM 081915 SCY DATE STAMPED & ORDERED 8/17/15, STATE'S MOTION TO QUASH
COMM 081915 SCY HEARING SUBPOENA REQUESTED BY CATHERINE FLYNN AND SERVED
COMM 081915 SCY ON AVON MACKEL. ORDERED, THAT THE HEARING SUBPOENA SERVED
COMM 081915 SCY ON AVON MACKEL FOR THE SEPTEMBER 2, 2015 HEARING IS QUASHED.
COMM 081915 SCY (CC: ALL COUNSEL OF RECORD)
COMM 081915 SCY DATE STAMPED & ORDERED 8/17/15, STATE'S MOTION TO QUASH
COMM 081915 SCY HEARING SUBPOENA REQUESTED BY CATHERINE FLYNN AND SERVED
COMM 081915 SCY ON CHIEF DEPUTY STATE'S ATTORNEY MICHAEL SCHATZOW. ORDERED,
COMM 081915 SCY THAT THE HEARING SUBPOENA SERVED ON MICHAEL SCHATZOW FOR THE
COMM 081915 SCY SEPTEMBER 2, 2015 HEARING IS QUASHED. WILLIAMS, J (CC: ALL
COMM 081915 SCY COUNSEL OF RECORD)
COMM 081915 SCY DATE STAMPED & ORDERED 8/17/15, STATE'S MOTION TO QUASH
COMM 081915 SCY HEARING SUBPOENA REQUESTED BY CATHERINE FLYNN AND SERVED
COMM 081915 SCY ON STATE'S ATTORNEY MARILYN MOSBY. ORDERED, THAT THE
COMM 081915 SCY HEARING SUBPOENA SERVED ON MARILYN MOSBY FOR THE SEPTEMBER
COMM 081915 SCY 2, 2015 HEARING IS QUASHED. WILLIAMS, J (CC: ALL COUNSEL

NEXT PAGE

P/N

PAGE 015

11:31:07 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:30
CASE 115141036 ST A WHITE, ALICIA SERGEANT A32385 COD Y DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 081915 SCY OF RECORD)
COMM 081915 SCY DATE STAMPED & ORDERED 8/17/15, STATE'S MOTION TO QUASH
COMM 081915 SCY HEARING SUBPOENA REQUESTED BY CATHERINE FLYNN AND SERVED
COMM 081915 SCY ON DEPUTY STATE'S ATTORNEY JANICE BLEDSOE. ORDERED, THAT
COMM 081915 SCY THE HEARING SUBPOENA SERVED ON JANICE BLEDSOE FOR THE
COMM 081915 SCY SEPTEMBER 2, 2015 HEARING IS QUASHED. WILLIAMS, J (CC: ALL
COMM 081915 SCY COUNSEL OF RECORD)
COMM 081915 SCY DATE STAMPED & ORDERED 8/17/15, STATE'S MOTION TO QUASH
COMM 081915 SCY HEARING SUBPOENA REQUESTED BY CATHERINE FLYNN AND SERVED
COMM 081915 SCY ON DEPUTY STATE'S ATTORNEY ANTONIO GIOIA. ORDERED, THAT
COMM 081915 SCY THE HEARING SUBPOENA SERVED ON ANTONIO GIOIA FOR THE
COMM 081915 SCY SEPTEMBER 2, 2015 HEARING IS QUASHED. WILLIAMS, J (CC: ALL
COMM 081915 SCY COUNSEL OF RECORD)
COMM 081915 CPR STATE'S SUPPLEMENTAL DISCLOSURE
COMM 082415 SCB STATE'S MOTION TO QUASH HEARING SUBPOENA SERVED ON
COMM 082415 SCB DETECTIVE DAWNYELL TAYLOR FLD
MPRO 082415 SCB MOTION FOR PROTECTIVE ORDER ;TICKLE DATE= 20150911
COMM 082415 SCB STATE'S MOTION TO QUASH HEARING SUBPOENA SERVED ON
COMM 082415 SCB MAJOR SAM COGAN FLD

NEXT PAGE

P/N

PAGE 016

11:31:07 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE
CASE 115141036 ST A WHITE, ALICIA SERGEANT A32385 CASE INQUIRY 11:30
COD Y DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
MPRO 082415 SCB MOTION FOR PROTECTIVE ORDER ;TICKLE DATE= 20150911
COMM 082415 SCB STATE'S MOTION TO QUASH HEARING SUBPOENA SERVED ON THE
COMM 082415 SCB CUSTODIAN OF RECORDS FOR THE OFFICE OF THE CHIEF MEDICAL
COMM 082415 SCB EXAMINER FLD
MPRO 082415 SCB MOTION FOR PROTECTIVE ORDER ;TICKLE DATE= 20150911
MPRO 082415 SCB MOTION FOR PROTECTIVE ORDER ;TICKLE DATE= 20150911
COMM 082415 SCB STATE'S RESPONSE TO DEF'S SUPPLEMENTAL MEMORANDUM IN
COMM 082415 SCB SUPPORT OF JOINT MOTION FOR RECUSAL OF BALTIMORE CITY
COMM 082415 SCB STATE'S ATTORNEY OFFICE FLD
MPRO 082515 CKW MOTION FOR PROTECTIVE ORDER ;TICKLE DATE= 20150912
COMM 082615 CMS ORDER OF COURT DATED AUGUST 26, 2015, SECURITY/MEDIA
COMM 082615 CMS PROTOCOL ORDER FILED. ORDER IS SUBJECT TO MODIFICATION
COMM 082615 CMS BY THE COURT AT ANY TIME. W. MICHEL PIERSON J
COMM 082615 CMS COPIES MAILED TO ALL COUNSEL
COMM 082615 SCB ORDER DATED AUGUST 25, 2015 AND DATE STAMPED AUGUST 26, 2015
COMM 082615 SCB THAT THE SUBPOENA SERVED ON DETECTIVE DAWNYELL TAYLOR FOR
COMM 082615 SCB THE SEPTEMBER 2, 2015 HEARING IS QUASHED; WILLIAMS, J
COMM 082615 CKW DATE STAMPEE AND ORDERED AUGUST 25TH 2015 THAT THE HEARING
COMM 082615 CKW SUBPOENA SERVED ON MAJOR SAM COGAN FOR THE SEPTEMBER 2 2015

NEXT PAGE

P/N

PAGE 017

11:31:07 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE
CASE 115141036 ST A WHITE, ALICIA SERGEANT A32385 CASE INQUIRY 11:30
COD Y DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 082615 CKW HEARING IS QUASHED
COMM 082615 SCB ORDER DATED AUGUST 25, 2015 AND DATE STAMPED AUGUST 26, 2015
COMM 082615 SCB THAT THE HEARING SUBPOENA SERVED ON THE CUSTODIAN OF RECORDS
COMM 082615 SCB FOR THE OFFICE OF THE CHIEF MEDICAL EXAMINER FOR THE
COMM 082615 SCB SEPTEMBER 2, 2015 HEARING IS QUASHED FLD; WILLIAMS, J
COMM 082615 CKW STATE'S MOTION TO QUASH HEARING SUBPOENA SERVED ON
COMM 082615 CKW COLONEL STANLEY BRANFORD FLD
MPRO 082615 CKW MOTION FOR PROTECTIVE ORDER ;TICKLE DATE= 20150913
COMM 082615 CKW STATE'S MOTION TO QUASH ALL HEARING SUBPOENAS ISSUED BY
COMM 082615 CKW THE DEFENSE FOR THE SEPTEMBER 2, 2015, MOTIONS HEARING FLD
COMM 082715 CPR ORDER DATE STAMPED 8/27/15; ORDERED THIS 26TH DAY OF AUGUST,
COMM 082715 CPR 2015 THAT THE HEARING SUBPOENA SERVED ON COLONEL STANLEY
COMM 082715 CPR BRANFORD FOR THE SEPTEMBER 2, 2015 HEARING IS QUASHED
COMM 082715 CPR JUDGE B. WILLIAMS
COMM 082715 CPR COPY MAILED TO STATE'S ATTORNEY(S) AND DEFENSE ATTORNEY(S)
COMM 082715 lgj SECOND REQUEST FOR AN EVIDENTIARY HEARING ON THE
COMM 082715 lgj SUPPLEMENTAL MEMORANDUM IN SUPPORT OF JOINT MOTION FOR
COMM 082715 lgj RECUSAL OF THE BALTIMORE CITY STATE'S ATTORNEY'S OFFICE
COMM 083115 S8T STATE'S RESPONSE TO DEFENDANT'S "SECOND REQUEST FOR AN

NEXT PAGE

P/N

PAGE 018

11:31:08 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:30
CASE 115141036 ST A WHITE, ALICIA SERGEANT A32385 COD Y DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 083115 S8T EVIDENTIARY HEARING ON THE SUPPLEMENTAL MEMORANDUM IN
COMM 083115 S8T SUPPORT OF JOINT MOTION FOR RECUSAL OF THE BALTIMORE CITY
COMM 083115 S8T STATE'S ATTORNEY'S OFFICE" FILED BY MICHAEL SCHATZOW
COMM 083115 1T2 CSET PMOT; P31; 09/02/15; 1T2 (PER COMPUTER/ORDER)
COMM 083115 S8T STATE'S SUPPLEMENTAL DISCLOSURE FILED BY JANICE BLEDSOE
COMM 090215 1DM CSET ARRG; P08; 07/02/15; 1DM
COMM 090215 1DM CSET JT ; P31; 10/13/15; 1DM
TRAK 090215 1DM ASSIGNED TO TRACK C - 120 DAYS ON 09/02/2015
COMM 090215 1T2 CONSENT WAIVER OF PRESENCE OF DEFT'S "GRANTED" (JUDGE
COMM 090215 1T2 WILLIAMS)
COMM 090215 1T2 JOINT MOTION FOR SANCTIONS HEARD AND "DENIED" (JUDGE
COMM 090215 1T2 WILLIAMS)
COMM 090215 1T2 DEFT'S REQUEST FOR EVIDENTIARY HEARING HEARD AND
COMM 090215 1T2 "DENIED" (JUDGE WILLIAMS)
COMM 090215 1T2 JOINT MOTION TO RECUSE BALTIMORE CITY ASA AND OFFICE
COMM 090215 1T2 HEARD AND "DENIED" (JUDGE WILLIAMS)
COMM 090215 1T2 STATE'S NOTION FOR JOINT TRIAL OF DEFT., (WHITE), HEARD AND
COMM 090215 1T2 "DENIED" (JUDGE WILLIAMS)
HCAL 090215 SCY P31;0930;528 ;PMOT; ;OTHR; ;WILLIAMS, BARRY;8C9

NEXT PAGE

P/N

PAGE 019

11:31:08 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:30
CASE 115141036 ST A WHITE, ALICIA SERGEANT A32385 COD Y DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 090215 S8P JOINT MOTION TO DISMISS ON JUDICIAL STATEMENTS HEARD AND
COMM 090215 S8P "DENIED" (JUDGE WILLIAMS)
COMM 090215 S8M STATE'S MOTION FOR JOINT TRIAL OF DEFENDANTS CD'S SEALED
COMM 090815 lgj DEFENDANT'S SUPPLEMENTAL MEMORANDUM TO DEFENDANT'S MOTION
COMM 090815 lgj FOR REMOVAL
COMM 090915 S8T STATE'S SUPPLEMENTAL DISCLOSURE FILED BY JANICE BLEDSOE
COMM 091015 CPR FILED ASA - MOSBY, MARILYN J , ESQ 589290
HCAL 091015 1 CPR P31;0930;528 ;HEAR;HR;DENI; ;WILLIAMS, BARRY;8C9
COMM 091015 CPR CSET HEAR; P31; 09/10/15; CPR
COMM 091015 CPR DEFENSE MOTION TO TRANSFER VENUE IS HEREBY HEARD & "DENIED"
HCAL 091015 SCB P31;0930;528 ;HEAR; ;OTHR; ;WILLIAMS, BARRY;8C9
COMM 091015 SCB CSET HEAR; P31; 09/10/15; SCB
COMM 091015 SCB DEF'S MOTION FOR SUBPEONA TO TANGIBLE RECORDS OF POLICE DEPT
COMM 091015 SCB TRAINING RECORDS AT THE ACADEMY HEARD AND IS HEREBY DENIED
COMM 091015 SCB WITH LEAVE TO REFILE; DEF'S MOTION FOR SUBPEONA TO
COMM 091015 SCB TANGIBLE RECORDS OF CHIEF MEDICAL EXAMINERS OFFICE
COMM 091015 SCB WITHDRAWN; DEF'S MOTION FOR SUBPEONA TO TANGIBLE RECORDS
COMM 091015 SCB OF CENTRAL BOOKING FOR FREDDIE GRAY WITHDRAWN; DEF'S MOTION
COMM 091015 SCB FOR SUBPEONA TO TANGIBLE RECORDS FOR JANUARY 1, 2012 TO

NEXT PAGE

P/N

PAGE 020

11:31:09 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:30
CASE 115141036 ST A WHITE, ALICIA SERGEANT A32385 COD Y DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 091015 SCB APRIL 2012 OF POLICE ACADEMY TRAINING ON LEGAL ISSUES HEARD
COMM 091015 SCB AND DENIED; DEF'S MOTION FOR SUBPEONA TO TANGIBLE RECORDS
COMM 091015 SCB OF STATE'S ATTY'S OFFICE INVESTIGATION RECORDS FOR
COMM 091015 SCB APRIL 12, 2015 THRU MAY 1, 2015 HEARD AND DENIED
COMM 091115 SCB STATE'S SUPPLEMENTAL DISCLOSURE FLD
COMM 091615 SCB STATE'S NOTICE OF INTENT TO USE DNA FLD
COMM 091615 SCB STATE'S SUPPLEMENTAL DISCLOSURE FLD
MCOM 091815 CKW MOTION TO COMPEL DISCOVERY ;TICKLE DATE= 20150926
COMM 091815 CKW MOTION TO PRODUCE RECORDS REGARDING DNA ANALYSIS FLD
COMM 091815 1gj DEFENDANTS' JOINT MOTION FOR RECORDATION OF
COMM 091815 1gj SEPTEMBER 24, 2015 SCHEDULING CONFERENCE
COMM 091815 1gj STATE'S SUPPLEMENTAL DISCLOSURE OF EXPERT WITNESS
COMM 092215 CKW STATE'S SUPPLEMENTAL DISCLOSURE FLD
COMM 092315 SCY DATE STAMPED & ORDERED 9/22/15, THAT THE DEPT'S REQUEST FOR
COMM 092315 SCY SEPTEMBER 24, 2015 SCHEDULING CONFERENCE TO TAKE PLACE ON
COMM 092315 SCY THE RECORD, IS DENIED. WILLIAMS, J (CC: IVAN BATES,
COMM 092315 SCY ATTORNEY FOR DEPT, JANICE BLEDSOE, DEPUTY STATE'S ATTORNEY,
COMM 092315 SCY OFFICE OF THE STATE'S ATTORNEY FOR BALTIMORE CITY)
MCOM 092315 CPR MOTION TO COMPEL DISCOVERY ;TICKLE DATE= 20151001

NEXT PAGE

P/N

PAGE 021

11:31:09 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:30
CASE 115141036 ST A WHITE, ALICIA SERGEANT A32385 COD Y DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 092315 CPR STATE'S MOTION TO COMPEL DISCOVERY
COMM 092315 CPR STATE'S SUPPLEMENTAL DISCLOSURE
COMM 092315 CNN STATE'S RESPONSE TO DEFENDANT'S MOTION TO PRODUCE RECORDS
COMM 092315 CNN REGARDING DNA ANALYSIS
COMM 092815 1T2 CSET HEAR; P31; 09/29/15; 1T2 (ADD-ON/LAW CLK/JUDGE
COMM 092815 1T2 WILLIAMS CALLING PT. 46 DKT./RM 234 EAST)
COMM 092815 SCY DATE STAMPED 9/28/15, & ORDERED 9/25/15, THAT ALL PROVISIONS
COMM 092815 SCY OF THE SECURITY/MEDIA PROTOCOL ORDER DATED AUGUST 26, 2015
COMM 092815 SCY SHALL APPLY TO THIS HEARING. IN ADDITION, FOR THIS HEARING,
COMM 092815 SCY MEMBERS OF THE MEDIA SHOULD ARRIVE AT THE COURTHOUSE AT 1:00
COMM 092815 SCY P.M. PIERSON, J
COMM 092915 CYH CSET JT ; P31; 01/25/16; CYH
HCAL 092915 SCB P31;0200;528 ;HEAR; ;POST;CAN;WILLIAMS, BARRY;8C9
COMM 092915 SCB POSTPONED TIL 1/25/2016 PART 31 AT 9:30AM; DEF SERVED
COMM 092915 S8T DEFENDANT'S MOTION FOR RECONSIDERATION OF THE DENIAL OF
COMM 092915 S8T MOTION FOR REMOVAL & REQUEST FOR HEARING FILED
COMM 092915 S8T SUPPLEMENT TO DEFENDANT'S JOINT MOTION TO COMPEL AND FOR
COMM 092915 S8T SANCTIONS FILED
HWNO 092915 S8T POSTPONEMENT FORM FILED; HICKS (MD RULE 4-271) NOT WAIVED

NEXT PAGE

P/N

PAGE 022

11:31:10 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:30
CASE 115141036 ST A WHITE, ALICIA SERGEANT A32385 COD Y DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 093015 - SCY DATE STAMPED & ORDERED 9/30/15, DEFT'S REQUEST FOR THE
COMM 093015 SCY SUPPRESSION OF THE SEARCH AND SEIZURE OF DEFT'S DEPARTMENTAL
COMM 093015 SCY CELL PHONES AND FOR A FRANKS HEARING IS DENIED. WILLIAMS, J
COMM 093015 SCY (CC: IVAN BATES, ATTORNEY FOR ALICIA WHITE, JANICE BLEDSOE,
COMM 093015 SCY DEPUTY STATE'S ATTORNEY, OFFICE OF THE STATE'S ATTORNEY
COMM 093015 SCY FOR BALTO. CITY)
COMM 093015 CNN STATE'S SUPPLEMENTAL DISCLOSURE
COMM 100215 SCY DATE STAMPED & ORDERED 10/2/15, THAT DEFT'S REQUEST FOR
COMM 100215 SCY RECONSIDERATION OF THE DENIAL OF MOTION FOR REMOVAL AND
COMM 100215 SCY DEFT'S REQUEST FOR A HEARING IS DENIED. WILLIAMS, J
COMM 100215 SCY (CC: IVAN BATES, ATTORNEY FOR ALICIA WHITE, JANICE BLEDSOE,
COMM 100215 SCY DEPUTY STATE'S ATTORNEY, OFFICE OF THE STATE'S ATTORNEY FOR
COMM 100215 SCY BALTO. CITY)
COMM 100515 SCY DATE STAMPED 10/5/15; & ORDERED 10/2/15, UPON CONSULTATION
COMM 100515 SCY WITH THE PARTIES TO THE ABOVE-CAPTIONED CASE THROUGH COUNSEL
COMM 100515 SCY ORDERED THAT A MOTIONS HEARING IS SCHEDULED FOR OCTOBER 13,
COMM 100515 SCY 2015 AT 9:30 A.M., AND FURTHER ORDERED THAT A MOTION HEARING
COMM 100515 SCY IS SCHEDULED FOR OCTOBER 14, 2015 AT 9:30 A.M. WILLIAMS, J
COMM 100515 SCY (CC: IVAN BATES, ATTORNEY FOR ALICIA WHITE, JANICE BLEDSOE,

NEXT PAGE

P/N

PAGE 023

11:31:10 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:30
CASE 115141036 ST A WHITE, ALICIA SERGEANT A32385 COD Y DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 100515 SCY DEPUTY STATE'S ATTORNEY, OFFICE OF STATE'S ATTORNEY FOR
COMM 100515 SCY BALTO. CITY)
COMM 100515 SCY DATE STAMPED 10/5/15, & ORDERED 10/2/15, UPON CONSIDERATION
COMM 100515 SCY OF THE MOTION AND RESPONSE IN THIS INSTANCE, & HAVING FOUND
COMM 100515 SCY THE STATE'S RESPONSE IN PARAGRAPHS C, D, E, I, AND P IS
COMM 100515 SCY INSUFFICIENT, IT IS ORDERED THAT THE STATE DISCLOSE THE
COMM 100515 SCY DOCUMENTS REQUESTED BY THE DEFENDANT IN PARAGRAPHS C, D, E,
COMM 100515 SCY I, AND P. (SEE ORDER FOR DETAILS) WILLIAMS, J
COMM 100515 SCY (CC: IVAN BATES, ATTORNEY FOR ALICIA WHITE, JANICE BLEDSOE,
COMM 100515 SCY DEPUTY STATE'S ATTORNEY, OFFICE OF STATE'S ATTORNEY FOR
COMM 100515 SCY BALTO. CITY)
COMM 100515 SCB STATE'S SUPPLEMENTAL DISCLOSURE FLD
COMM 100815 VGI CSET PMOT; P31; 10/14/15; VGI (FR ADD ON PER LW CK GI)
COMM 100815 VGI CSET PMOT; P31; 10/13/15; VGI (FR ADD ON PER LW CK GI)
COMM 100815 SCY DATE STAMPED & ORDERED 10/8/15, HEARING UPON PRE-TRIAL
COMM 100815 SCY MOTIONS IN THESE CASES IS SCHEDULED TO OCCUR ON OCTOBER 13,
COMM 100815 SCY AND OCTOBER 14, 2015 AT 9:30 A.M. IT IS ORDERED, THAT ALL
COMM 100815 SCY PROVISIONS OF THE SECURITY/MEDIA PROTOCOL ORDER DATED AUGUST
COMM 100815 SCY 26, 2015 SHALL APPLY TO THIS HEARING.. PIERSON, J

NEXT PAGE

P/N

PAGE 024

11:31:01 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:30
CASE 115141036 ST A WHITE, ALICIA SERGEANT A32385 COD Y DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 100815 S8T STATE'S SUPPLEMENTAL DISCLOSURE FILED BY JANICE BLEDSOE
COMM 100915 CNN STATE'S RESPONSE TO DEFENDANT'S SUPPLEMENT TO DEFENDANTS'
COMM 100915 CNN JOINT MOTION TO COMPEL AND FOR SANCTIONS
HCAL 101315 CYH P31;0900;528 ;JT ; ;POST;PWU;WILLIAMS, BARRY;8C9
HCAL 101315 CKW P31;0930;528 ;PMOT; ;CONT; ;WILLIAMS, BARRY;8C9
COMM 101315 CKW DEFENSE MOTION TO SUPPRESS SGT WHITE'S STATEMENT IS
COMM 101315 CKW HEREBY HEARD ANDAS TO 4/12/15 STATEMENT...AS TO
COMM 101315 CKW 4/17/15 STATEMENT-DENIED; CONTINUED 1/25/16; STATE'S MOTION
COMM 101315 CKW EXHIBITS SEALED STATE-1 AND 2; DEFENSE MOTION EXHIBIT-2
COMM 101415 CKW DATE STAMPED AND ORDERED ON 10/14/15 THAT IN CONSIDERATION
COMM 101415 CKW OF DEF'S JOINT MOTION TO COMPEL AND FOR SANCTIONS, THE COURT
COMM 101415 CKW HAVING FOUND THAT THE STATE HAS FAILED TO PRODUCE
COMM 101415 CKW INFORMATION THIS COURT DEEMS EXCULPATORY, IT IS THIS 14TH
COMM 101415 CKW DAY OF OCTOBER 2015 HEREBY ORDERED THAT DEF'S MOTION IS
COMM 101415 CKW GRANTED IN PART AND HEREBY ORDERD THAT THE STATE ON OR
COMM 101415 CKW BEFORE 10/28/15, PROVIDE COUNSEL FOR DEFS WITH COPIES OF ANY
COMM 101415 CKW AND ALL DOCUMENTS PERTAINING TO THE INVESTIGATION AND
COMM 101415 CKW PROSECUTION OF DEFS. ALL OTHER REQUESTS BY THE STATE AND
COMM 101415 CKW THE DEFS FOR SANCTIONS ARE HEREBY DENIED PER

NEXT PAGE

P/N

PAGE 025

11:31:12 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:30
CASE 115141036 ST A WHITE, ALICIA SERGEANT A32385 COD Y DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 101415 CKW JUDGE BARRY G. WILLIAMS (SEE ORDER); CC TO IVAN BATES, ATTY
COMM 101415 CKW FOR ALICIA WHITE AND JANICE BLEDSOE, DEPUTY STATE'S ATTY,
COMM 101415 CKW OFFICE OF THE STATE'S ATTY FOR BALTIMORE CITY
COMM 101515 SCY DATE STAMPED & ORDERED 10/14/15, ON MAY 14, 2015, THIS COURT
COMM 101515 SCY RECEIVED THE STATE'S MOTION FOR ISSUANCE OF ORDER BARRING
COMM 101515 SCY EXTRAJUDICIAL STATEMENTS. ON SEPTEMBER 29, 2015, THIS COURT
COMM 101515 SCY RECEIVED THE DEFT'S MOTION FOR RECONSIDERATION OF THE DENIAL
COMM 101515 SCY OF MOTION FOR REMOVAL & REQUEST FOR HEARING. THE DEFT'S
COMM 101515 SCY MOTION NOTED HIS CONCERN FOR THE ACCUMULATION OF PRETRIAL
COMM 101515 SCY PUBLICITY, INCLUDING THE DISCLOSURE OF EVIDENCE NOT IN THE
COMM 101515 SCY PUBLIC RECORD, & THE EFFECT OF SUCH ON THE VIOLATION OF
COMM 101515 SCY & HIS RIGHT TO A FAIR TRIAL. ACCORDINGLY, IT IS HEREBY
COMM 101515 SCY ORDERED THAT: 1.) THIS ORDER IS BINDING ON THE DEFT, ALL
COMM 101515 SCY ATTORNEYS FOR THE DEFT & THE STATE, & ON ALL EMPLOYEES,
COMM 101515 SCY REPRESENTATIVES, OR AGENTS OF SUCH ATTORNEYS. IT SHALL
COMM 101515 SCY REMAIN IN FORCE UNTIL THE CONCLUSION OF THIS CASE OR UNTIL
COMM 101515 SCY FURTHER ORDER OF THIS COURT. 2.) NO PERSON COVERED BY THIS
COMM 101515 SCY ORDER SHALL MAKE OR ISSUE ANY EXTRAJUDICIAL STATEMENT,
COMM 101515 SCY WRITTEN OR ORAL, CONCERNING THIS CASE FOR DISSEMINATION BY

NEXT PAGE

P/N

PAGE 026

11:31:12 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:30
CASE 115141036 ST A WHITE, ALICIA SERGEANT A32385 COD Y DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 101515 SCY MEANS OF PUBLIC COMMUNICATION. 3.) COUNSEL ARE REMINDED OF
COMM 101515 SCY THEIR ETHICAL DUTIES & OBLIGATIONS AS SET FORTH IN THE
COMM 101515 SCY MD RULES OF PROFESSIONAL CONDUCT, RULE 3.6, TRIAL PUBLICITY.
COMM 101515 SCY 4.) NO PERSON COVERED BY THIS ORDER SHALL AVOID OR
COMM 101515 SCY CIRCUMVENT ITS EFFECT BY ACTIONS THAT INDIRECTLY, BUT
COMM 101515 SCY DELIBERATELY, BRING ABOUT A VIOLATION OF THIS ORDER. 5.)
COMM 101515 SCY IF ANY PERSON BELIEVES THAT EVENTS HAVE OCCURRED THAT SHOULD
COMM 101515 SCY RESULT IN A MODIFICATION OF THIS ORDER, SUCH PERSON MAY SEEK
COMM 101515 SCY RELIEF FROM THE COURT. 6.) THE PROHIBITION ON MAKING EXTRA
COMM 101515 SCY JUDICIAL STATEMENTS APPLIES TO THE REPOSTING OR REPUBLICA-
COMM 101515 SCY TION OF ANY STATEMENTS MADE PRIOR TO THE ENTRY OF THIS ORDER
COMM 101515 SCY THAT WOULD NOW CONSTITUTE A VIOLATION OF THIS ORDER. & 7.)
COMM 101515 SCY NOTHING IN THIS ORDER SHALL BE CONSTRUED TO LIMIT ANY RIGHTS
COMM 101515 SCY OF THE MEDIA OR THE PUBLIC PURSUANT TO THE FIRST AMENDMENT
COMM 101515 SCY OR TO LIMIT PUBLIC ACCESS TO COURT PROCEEDINGS AS ALLOWED
COMM 101515 SCY BY STATUTE, RULE OR COURT ORDER. WILLIAMS, J (CC: IVAN
COMM 101515 SCY BATES, ATTORNEY FOR ALICIA WHITE, JANICE BLEDSOE, DEPUTY
COMM 101515 SCY STATE'S ATTORNEY, OFFICE OF THE STATE'S ATTORNEY FOR BALTO.
COMM 101515 SCY CITY) (SEE ORDER FOR GOOD CAUSE SHOWN)

NEXT PAGE

P/N

PAGE 027

11:31:13 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:30
CASE 115141036 ST A WHITE, ALICIA SERGEANT A32385 COD Y DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 102015 S8T MOTION TO DISMISS FOR FAILURE TO CHARGE A CRIME FILED
COMM 102115 SCB STATE'S SUPPLEMENTAL DISCLOSURE FLD
COMM 102815 S8F DEFENDANT'S DISCOVERY MOTION FILED UNDER SEAL.
COMM 102815 S8F STATE'S RESPONSE TO DEFENDANT'S DISCOVERY MOTION FILED
COMM 102815 S8F UNDER SEAL
COMM 103015 S8F ORDER FOR DISCOVERY MOTION DATE STAMPED 10/29/15 AND
COMM 103015 S8F ORDERED 10/28/15 PER JUDGE WILLIAMS FILED UNDER SEAL.
COMM 103015 S8F CC: IVAN BATES, ATTORNEY FOR ALICIA WHITE AND JANICE
COMM 103015 S8F BLEDSOE (10/29/15)
COMM 110415 CPR STATE'S RESPONSE TO DEFENDANT'S MOTION TO DISMISS FOR
COMM 110415 CPR FAILURE TO CHARGE A CRIME
COMM 010416 1gj STATE'S SUPPLEMENTAL DISCLOSURE OF EXPERT WITNESS
COMM 010416 1gj MOTION TO QUASH TRIAL SUBPOENA OF OFFICER WILLIAM PORTER
COMM 010516 SCY MOTION TO INTERVENE TO SEEK ACCESS TO COURT RECORDS AND
COMM 010516 SCY PROCEEDINGS AND REQUEST FOR HEARING FLD
COMM 010716 SCY DATE STAMPED & ORDERED 1/7/16, THAT THE STATE'S MOTION TO
COMM 010716 SCY COMPEL A WITNESS TO TESTIFY PURSUANT TO SECTION 9-123 OF
COMM 010716 SCY THE COURTS AND JUDICIAL PROCEEDINGS ARTICLE IS GRANTED,
COMM 010716 SCY AND FRUTHER ORDERED THAT OFFICER WILLIAM PORTER, D.O.B.

NEXT PAGE

P/N

PAGE 028

11:31:13 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:30
CASE 115141036 ST A WHITE, ALICIA SERGEANT A32385 COD Y DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 010716 SCY 6/26/89, SHALL TESTIFY AS A WITNESS FOR THE STATE IN THE
COMM 010716 SCY ABOVE-CAPTIONED CASE AND MAY NOT REFUSE TO COMPLY WITH
COMM 010716 SCY THIS ORDER ON THE BASIS OF HIS PRIVILEGE AGAINST SELF-
COMM 010716 SCY INCRIMINATION, AND FURTHER ORDERED THAT NO TESTIMONY OF
COMM 010716 SCY OF OFFICER WILLIAM PORTER, D.O.B. 6/26/1989, COMPELLED
COMM 010716 SCY PURSUANT TO THIS ORDER, AND NO INFORMATION DIRECTLY OR
COMM 010716 SCY INDIRECTLY DERIVED FROM THE TESTIMONY OF OFFICER PORTER
COMM 010716 SCY COMPELLED PURSUANT TO THIS ORDER, MAY BE USED AGAINST
COMM 010716 SCY OFFICER PORTER IN ANY CRIMINAL CASE, EXCEPT IN A PROSECUTION
COMM 010716 SCY FOR PREJURY, OBSTRUCTION OF JUSTICE, OR OTHERWISE FAILING
COMM 010716 SCY TO COMPLY WITH THIS ORDER. WILLIAMS, J (CC: JOSEPH MURTHA
COMM 010716 SCY ATTY FOR WILLIAM PORTER, TONY GARCIA, ATTY FOR ALICIA WHITE
COMM 010716 SCY JANICE BLEDSOE, DEPUTY STATE'S ATTY, OFFICE OF THE STATE'S
COMM 010716 SCY ATTY FOR BALTO. CITY)
COMM 010816 CVS CSET JT ; P31; 02/08/16; CVS (FR PP CT 1/8/16 VC)
HWNO 010816 S8T POSTPONEMENT FORM FILED; HICKS (MD RULE 4-271) NOT WAIVED
COMM 010816 SCB ADVANCED POSTPONEMENT TO 3/7/16 PART 31 AT 9:30AM; NO FILE
COMM 010816 S8P STATE'S MOTION TO SEAL THE DEF'S DISCOVERY DISCLOSURES
COMM 011216 CSJ NOTICE OF INTERLOCUTORY APPEAL BY WITNESS FLD BY GARY

NEXT PAGE

P/N

PAGE 029

11:31:14 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE
CASE 115141036 ST A WHITE, ALICIA SERGEANT

CASE INQUIRY 11:30
A32385 COD Y DCM C 090215

EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 011216 CSJ PROCTOR AND JOSEPH MURTHA CK. #2102 IN THE AMOUNT OF \$121.00
COMM 011216 CSJ *****ASSIGNED TO LMH*****DUE TO TRANSMIT 3-12-16****
COMM 011216 CSJ WITNESS WILLIAM PORTER'S MOTION FOR INJUNCTION PENDING
COMM 011216 CSJ APPEAL FILED BY GARY E PROCTOR AND JOSEPH MURTHA.
COMM 011216 CSJ DEFENDANT ALICIA WHITE'S MOTION TO STRIKE ORDER COMPELLING
COMM 011216 CSJ OFFICER PORTER'S TESTIMONY DURING HER TRIAL FLD BY IVAN
COMM 011216 CSJ BATES.
COMM 011316 CSJ STATE'S RESPONSE TO WITNESS MOTION FOR INJUNCTION PENDING
COMM 011316 CSJ APPEAL FILED BY MICHAEL SCHATZOW AND JANICE BLEDSOE.
COMM 011416 SCY DATE STAMPED & ORDERED 1/13/16, UPON CONSULTATION WITH THE
COMM 011416 SCY PARTIES TO THE ABOVE-CAPTIONED CASE THROUGH COUNSEL, IT IS
COMM 011416 SCY ORDERED THAT A HEARING IS SCHEDULED FOR JANUARY 20, 2016
COMM 011416 SCY AT 2:00 P.M. WILLIAMS, J (CC: IVAN BATES, ATTY FOR ALICIA
COMM 011416 SCY WHITE, JANICE BLEDSOE, DEPUTY STATE'S ATTY, OFFICE OF THE
COMM 011416 SCY STATE'S ATTY FOR BALTO. CITY)
COMM 011516 CPR MOTION TO DISMISS FOR FAILURE TO CHARGE A CRIME
COMM 011516 CPR DEFENDANT'S MOTION TO STRIKE THE STATE'S EXPERT STANFORD
COMM 011516 CPR O'NEILL FRANKLIN AND REQUEST HEARING
COMM 011516 CPR DEFENDANT'S SECOND MOTION FOR RECONSIDERATION OF THE DENIAL

NEXT PAGE

P/N

PAGE 030

11:31:14 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:30
CASE 115141036 ST A WHITE, ALICIA SERGEANT A32385 COD Y DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 011516 CPR OF MOTION FOR REMOVAL AND REQUEST FOR HEARING
COMM 011516 CPR MOTION IN LIMINE TO PRECLUDE TESTIMONY AND EVIDENCE
COMM 011516 CPR CONCERNING BALTIMORE POLICE DEPARTMENT GENERAL ORDERS AND
COMM 011516 CPR POLICIES AS THEY RELATE TO THE USE OF SEATBELTS IN POLICE
COMM 011516 CPR VEHICLES
COMM 011516 CPR DEFENDANT ALICIA WHITE'S MOTION TO PRECLUDE INCONSISTENT
COMM 011516 CPR PROSECUTORIAL ARGUMENT DURING HER TRIAL
COMM 011516 CPR DEFENDANT ALICIA WHITE'S MOTION IN LIMINE TO EXCLUDE
COMM 011516 CPR VIDEOGRAPHIC AND PHOTOGRAPHIC EVIDENCE RELATING TO
COMM 011516 CPR MR. GRAY'S ARREST
COMM 011516 CPR NOTICE OF INTENT TO INTRODUCE STATEMENTS OF PARTY OPPONENT
COMM 011516 CPR MOTION FOR SUMMONS OF OUT OF STATE WITNESS
COMM 011516 CPR DEFENDANT'S MOTION IN LIMINE TO PRECLUDE TESTIMONY OF
COMM 011516 CPR CAROL ALLAN, M.D. IN WHOLE OR IN PART AND REQUEST FOR
COMM 011516 CPR EVIDENTIARY HEARING
COMM 011516 CPR DEFENDANT'S MOTION IN LIMINE TO EXCLUDE TESTIMONY OF
COMM 011516 CPR OFFICER WILLIAM PORTER
COMM 011516 CPR SECURITY/MEDIA PROTOCOL ORDER
COMM 011516 CPR DEFENDANT'S MOTION FOR REVISED SUBPOENAS FOR TANGIBLE

NEXT PAGE

P/N

PAGE 031

11:31:15 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:30
CASE 115141036 ST A WHITE, ALICIA SERGEANT A32385 COD Y DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 011516 CPR OF MOTION FOR REMOVAL AND REQUEST FOR HEARING
COMM 011516 CPR MOTION IN LIMINE TO PRECLUDE TESTIMONY AND EVIDENCE
COMM 011516 CPR CONCERNING BALTIMORE POLICE DEPARTMENT GENERAL ORDERS AND
COMM 011516 CPR POLICIES AS THEY RELATE TO THE USE OF SEATBELTS IN POLICE
COMM 011516 CPR VEHICLES
COMM 011516 CPR DEFENDANT ALICIA WHITE'S MOTION TO PRECLUDE INCONSISTENT
COMM 011516 CPR PROSECUTORIAL ARGUMENT DURING HER TRIAL
COMM 011516 CPR DEFENDANT ALICIA WHITE'S MOTION IN LIMINE TO EXCLUDE
COMM 011516 CPR VIDEOGRAPHIC AND PHOTOGRAPHIC EVIDENCE RELATING TO
COMM 011516 CPR MR. GRAY'S ARREST
COMM 011516 CPR NOTICE OF INTENT TO INTRODUCE STATEMENTS OF PARTY OPPONENT
COMM 011516 CPR MOTION FOR SUMMONS OF OUT OF STATE WITNESS
COMM 011516 CPR DEFENDANT'S MOTION IN LIMINE TO PRECLUDE TESTIMONY OF
COMM 011516 CPR CAROL ALLAN, M.D. IN WHOLE OR IN PART AND REQUEST FOR
COMM 011516 CPR EVIDENTIARY HEARING
COMM 011516 CPR DEFENDANT'S MOTION IN LIMINE TO EXCLUDE TESTIMONY OF
COMM 011516 CPR OFFICER WILLIAM PORTER
COMM 011516 CPR SECURITY/MEDIA PROTOCOL ORDER
COMM 011516 CPR DEFENDANT'S MOTION FOR REVISED SUBPOENAS FOR TANGIBLE

NEXT PAGE

P/N

PAGE 031

11:31:16 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE
CASE 115141036 ST A WHITE, ALICIA SERGEANT A32385 COD Y DCM C 090215
CASE INQUIRY 11:30
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 011516 CPR EVIDENCE REGARDING RECORDS OF INCARCERATION
COMM 011516 CPR DEFENDANT'S MOTION FOR SUBPOENA FOR TANGIBLE EVIDENCE
COMM 011516 CPR REGARDING MEDICAL RECORDS
COMM 011516 CPR PEREMPTORY STRIKES
COMM 011516 CPR ATTEMPTING TO CALL PROSECUTORS IN THIS AS TRIAL WITNESSES
COMM 011516 CPR AND FROM ATTEMPTING TO CONTROVERT CERTAIN ASPECTS OF OR TO
COMM 011516 CPR RAISE BASELESS ACCUSATIONS ABOUT THE STATE'S ATTORNEY'S
COMM 011516 CPR PRE-INDICTMENT ACTIONS IN THIS CASE
COMM 011516 CPR DEFENDANT'S MOTION IN LIMINE REGARDING JUROR ISSUES
COMM 011516 SCY (4) - STATE'S MOTIONS 1/15/16 FILED UNDER SEAL
COMM 011916 CPR MOTION TO SEAL DEFENDANT'S REQUEST FOR PEREMPTORY STRIKES
COMM 011916 CPR MOTION TO SEAL DEFENDANT'S MOTION FOR SUBPOENA FOR TANGIBLE
COMM 011916 CPR EVIDENCE REGARDING MEDICAL RECORDS
COMM 011916 CPR DEFENDANT'S MOTION IN LIMINE REGARDING JUROR ISSUES
COMM 011916 CPR MOTION TO SEAL DEFENDANT'S MOTION IN LIMINE REGARDING JUROR
COMM 011916 CPR ISSUES
COMM 011916 CPR STATE'S MOTION IN LIMINE REGARDING THE DEFENDANT'S PROPOSED
COMM 011916 CPR LAW ENFORCEMENT EXPERT TESTIMONY AND REQUEST FOR HEARING
COMM 011916 CPR STATE'S MOTION TO SEAL THE DEFENDANT'S DISCOVERY DISCLOSURES

NEXT PAGE

P/N

PAGE 032

11:31:16 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:30
CASE 115141036 ST A WHITE, ALICIA SERGEANT A32385 COD Y DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 011916 CPR MOTION TO SEAL DEFENDANT'S REQUEST FOR PEREMPTORY STRIKES
COMM 011916 CPR MOTION TO SEAL DEFENDANT'S MOTION FOR REVISED SUBPOENAS FOR
COMM 011916 CPR TANGIBLE EVIDENCE REGARDING RECORDS OF INCARCERATION
COMM 011916 SCY (1) DEF MOTION 1/19/16 FILED UNDER SEAL
COMM 012016 CSU ORIGINAL PAPERS FORWARDED TO COSA VIA FED EX TRACKING #8099-
COMM 012016 CSU 2219-6854. (1) BINDER, NO EXHIBITS, AND NO TRANSCRIPTS.
COMM 012016 CNN STATE'S RESPONSE TO DEFENDANT ALICIA WHITE'S MOTION
COMM 012016 CNN TO STRIKE COURT'S ORDER COMPELLING OFFICER PORTER'S
COMM 012016 CNN TESTIMONY DURING HER TRIAL
COMM 012016 SCY DATE STAMPED & ORDERED 1/19/16, DEFT'S MOTION TO SEAL DEFT'S
COMM 012016 SCY REQUEST FOR PEREMPTORY STRIKES IS DENIED. WILLIAMS, J
COMM 012016 SCY (CC: IVAN BATES, ATTY FOR ALICIA WHITE; JANICE BLEDSOE, DEP.
COMM 012016 SCY STATE'S ATTY, OFFICE OF THE STATE'S ATTY FOR BALTO CITY)
COMM 012016 SCY DATE STAMPED & ORDERED 1/19/16, DEFT'S MOTION TO SEAL DEFT'S
COMM 012016 SCY MOTION FOR SUBPOENA FOR TANGIBLE EVIDENCE REGARDING MEDICAL
COMM 012016 SCY RECORDS IS DENIED. WILLIAMS, J (CC: IVAN BATES, ATTY FOR
COMM 012016 SCY (CC: IVAN BATES, ATTY FOR ALICIA WHITE, JANICE BLEDSOE,
COMM 012016 SCY DEPUTY STATE'S ATTY, OFFICE OF THE STATE'S ATTY FOR
COMM 012016 SCY BALTO CITY)

NEXT PAGE

P/N

PAGE 033

11:31:17 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE
CASE 115141036 ST A WHITE, ALICIA SERGEANT A32385 COD Y DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 012016 SCY DATE STAMPED & ORDERED 1/19/16, DEFT'S MOTION TO SEAL
COMM 012016 SCY DEFT'S MOTION IN LIMINE REGARDING JUROR ISSUES IS DENIED.
COMM 012016 SCY WILLIAMS, J (CC: IVAN BATES, ATTY FOR ALICIA WHITE, JANICE
COMM 012016 SCY BLEDSOE, DEPUTY STATE'S ATTY, OFFICE OF THE STATE'S ATTY
COMM 012016 SCY FOR BALTO CITY)
COMM 012016 SCY DATE STAMPED & ORDERED 1/19/16, STATE'S MOTION TO SEAL DEFT'S
COMM 012016 SCY MOTION IN LIMINE REGARDING THE DEFT'S PROPOSED LAW EN-
COMM 012016 SCY FORCEMENT EXPERT TESTIMONY AND REQUEST FOR HEARING IS
COMM 012016 SCY DENIED. WILLIAMS, J (CC: IVAN BATES, ATTY FOR ALICIA
COMM 012016 SCY WHITE, JANICE BLEDSOE, DEPUTY STATE'S ATTY, OFFICE OF
COMM 012016 SCY THE STATE'S ATTY FOR BALTO CITY)
COMM 012016 SCY DATE STAMPED & ORDERED 1/19/16, DEFT'S MOTION TO SEAL DEFT'S
COMM 012016 SCY MOTION FOR REVISED SUBPOENAS FOR TANGIBLE EVIDENCE REGARDING
COMM 012016 SCY RECORDS OF INCARCERATION IS DENIED. WILLIAMS, J (CC: IVAN
COMM 012016 SCY BATES, ATTY FOR ALICIA WHITE, JANICE BLEDSOE, DEPUTY STATE'S
COMM 012016 SCY ATTY, OFFICE OF THE STATE'S ATTY FOR BALTO CITY)
HCAL 012016 1 SCB P31;0930;528 ;HEAR; ;CONT; ;WILLIAMS, BARRY;8C9
COMM 012016 SCB CSET HEAR; P31; 01/20/16; SCB
COMM 012016 SCB DEFT'S MOTION TO STRIKE COURTS ORDER COMPELLING PORTER'S

NEXT PAGE

P/N

PAGE 034

11:31:17 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE
CASE 115141036 ST A WHITE, ALICIA SERGEANT A32385 COD Y DCM C 090215 CASE INQUIRY 11:30
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 012016 SCB TESTIMONY DURING WHITE'S TRIAL IS HEREBY HEARD AND DENIED
FILE 012016 SCB FILED ADF - BELSKY, MICHAEL ; ESQ 52933
FILE 012016 SCB FILED ADF - BALL, CHAZ R ; ESQ 35445
COMM 012016 S8P DATE STAMPED AND ORDERED 01/19/16, THAT THE DEF'S DISCOVERY
COMM 012016 S8P DISCLOSURES BE REMOVED FROM THE COURT FILE, AND FURTHER
COMM 012016 S8P ORDERED THAT THE DEF'S DISCOVERY DISCLOSURES BE RETURNED
COMM 012116 SCY DATE STAMPED 1/21/16, & ORDERED 1/20/16, ON JANUARY 12, 2016
COMM 012116 SCY THIS COURT RECEIVED WITNESS WILLIAM PORTER'S MOTION FOR
COMM 012116 SCY INJUNCTION PENDING APPEAL, ASKING THIS COURT TO STAY ITS
COMM 012116 SCY RULING PENDING OFFICER PORTER'S INTERLOCUTORY APPEAL IN THIS
COMM 012116 SCY MATTER. HAVING REVIEWED THE DEF'S MOTION, AND IN LIGHT
COMM 012116 SCY OF THE COURT OF SPECIAL APPEALS ORDER OF JANUARY 11, 2016
COMM 012116 SCY GRANTING A STAY IN GOODSON V. STATE, CASE NO. #115141032,
COMM 012116 SCY PENDING THE INTERLOCUTORY APPEAL, AND NOTING THAT THE LEGAL
COMM 012116 SCY ISSUES INVOLVED IN THE TWO CASES ARE THE SAME, THIS COURT
COMM 012116 SCY FINDS THAT IT IS APPROPRIATE TO GRANT A STAY IN THE ABOVE
COMM 012116 SCY CAPTIONED MATTER. THEREFORE, IT IS ORDERED THAT WITNESS
COMM 012116 SCY WILLIAM PORTER'S MOTION FOR INJUNCTION PENDING APPEAL IS
COMM 012116 SCY GRANTED. WILLIAMS, J (CC: IVAN BATES, ATTY FOR ALICIA

NEXT PAGE

P/N

PAGE 035

11:31:18 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:30
CASE 115141036 ST A WHITE, ALICIA SERGEANT A32385 COD Y DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 012116 SCY WHITE, JOSPEH MURTHA, ATTY FOR WILLIAM PORTER, JANICE
COMM 012116 SCY BLEDSOE, DEPUTY STATE'S ATTY, OFFICE OF THE STATE'S ATTY
COMM 012116 SCY FOR BALTO. CITY)
COMM 012116 SCY DATE STAMPED & ORDERED 1/19/16, ORDER FILED UNDER SEAL.
COMM 012116 SCY WILLIAM, J (CC: IVAN BATES, ATTY FOR ALICIA WHITE, JANICE
COMM 012116 SCY BLEDSOE, DEPUTY STATE'S ATTY, OFFICE OF THE STATE'S ATTY
COMM 012116 SCY FOR BALTO. CITY)
COMM 012116 SCY DATE STAMPED & ORDERED 1/19/16, ORDER FILED UNDER SEAL.
COMM 012116 SCY WILLIAM, J (CC: IVAN BATES, ATTY FOR ALICIA WHITE, JANICE
COMM 012116 SCY BLEDSOE, DEPUTY STATE'S ATTY, OFFICE OF THE STATE'S ATTY)
COMM 012116 SCY BALTO. CITY)
COMM 012116 SCY DATE STAMPED & ORDERED 1/19/16, ORDER FILED UNDER SEAL.
COMM 012116 SCY WILLIAM, J (CC: IVAN BATES, ATTY FOR ALICIA WHITE, JANICE
COMM 012116 SCY BLEDSOE, DEPUTY STATE'S ATTY, OFFICE OF THE STATE'S ATTY)
COMM 012116 S8P DATE STAMPED AND ORDERED 01/19/16 THAT THE DEF'S DISCOVERY
COMM 012116 S8P DISCLOSURES BE REMOVED FROM COURT FILE, AND FURTHER
COMM 012116 S8P ORDERED THAT THE DEF'S DISCOVERY DISCLOSURES BE RETURNED TO
COMM 012116 S8P COUNSEL, AND FURTHER ORDERED THAT THE DEF'S DISCOVERY
COMM 012116 S8P DISCLOSURES BE REMOVED FROM PUBLIC ACCESS, INCLUDING, BUT

NEXT PAGE

P/N

PAGE 036

11:31:19 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:30
CASE 115141036 ST A WHITE, ALICIA SERGEANT A32385 COD Y DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 012116 S8P NOT LIMITED TO, THE CIRCUIT COURT FOR BALTO. CITY'S
COMM 012116 S8P WEBSITE, AND FURTHER ORDERED THAT THE STATE'S MOTION TO
COMM 012116 S8P SEAL THE DEF'S DISCOVERY DISCLOSURES IS DENIED AS MOOT.
COMM 012116 S8P WILLIAMS, J (CC: IVAN BATES, ATTY FOR ALICIA WHITE; JANICE
COMM 012116 S8P BLEDSOE, DEP. STATE'S ATTY, OFFICE OF THE STATE'S ATTY FOR
COMM 012116 S8P BALTO. CITY)
HCAL 012516 VGI P31;0930;528 ;JT ; ;POST;PAV;WILLIAMS, BARRY;8C9
COMM 012816 CPR STATE'S SUPPLEMENTAL DISCLOSURE
COMM 020116 SCY DEFT'S RESPONSE TO STATE'S MOTION IN LIMINE REGARDING THE
COMM 020116 SCY DEFT'S PROPOSED LAW ENFORCEMENT EXPERTS AND REQUEST FOR
COMM 020116 SCY HEARING FLD
COMM 020116 SCY DEFT'S RESPONSE TO STATE'S MOTION IN LIMINE TO PRECLUDE
COMM 020116 SCY EVIDENCE CONTAINED IN EXHIBIT 11 OF THE DEFT'S DISCOVERY
COMM 020116 SCY DISCLOSURES FLD
COMM 020116 SCY DEFT'S RESPONSE TO STATE'S MOTION FOR ALTERNATING CHALLENGES
COMM 020116 SCY AND REQUEST FOR VOIR DIRE FLD
COMM 020116 SCY DEFT'S RESPONSE TO STATE'S MOTION IN LIMINE TO PRECLUDE
COMM 020116 SCY EVIDENCE OF, OR ARGUMENT ABOUT, OR REFERENCE TO CERTAIN
COMM 020116 SCY INFORMATION REGARDING THE VICTIM FLD

NEXT PAGE

P/N

PAGE 037

11:31:19 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE
CASE 115141036 ST A WHITE, ALICIA SERGEANT

CASE INQUIRY 11:30
A32385 COD Y DCM C 090215

EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 020116 SCY DEFT'S RESPONSE TO STATE'S MOTION IN LIMINE TO PRECLUDE
COMM 020116 SCY DEFT FROM CALLING PROSECUTORS AS WITNESSES DURING DEFT'S
COMM 020116 SCY TRIAL AND REQUEST FOR AN EVIDENTIARY HEARING FLD
COMM 020216 SCY DATE STAMPED & ORDERED 2/2/16, ORDER FILED UNDER SEAL.
COMM 020216 SCY WILLIAMS, J (CC: IVAN BATES, ATTY FOR ALICIA WHITE, JANICE
COMM 020216 SCY BLEDSOE, DEPUTY STATE'S ATTY, OFFICE OF THE STATE'S ATTY
COMM 020216 SCY FOR BALTO. CITY)
COMM 020316 CSJ RECEIPT FOR TRANSCRIPT OF RECORD RECEIVED FROM COSA.
COMM 021116 SCY STATES'S SUPPLEMENTAL DISCLOSURE FLD
COMM 021616 CSU RECEIPT IS HEREBY ACKNOWLEDGED OF A PETITION FOR WRIT OF
COMM 021616 CSU CERTIORARI FLD. IN THE ABOVE ENTITLED CASE PER BESSIE M.
COMM 021616 CSU DECKER, CLERK COURT OF APPEALS OF MARYLAND.
COMM 021616 CSJ LETTER FROM ATTORNEY DAVID B. LOVE TO ASA MATT PILLION
COMM 021616 CSJ REGARDING SUBPOENAS FILED.
CON FULL NAME/PHONE NUMBER IDENT ADD/FILE STREET/CITY STATE ZIPCODE V/W
AKA WHITE, ALICIA LENA E 052715

COD GOODSON, CAESAR R OFC

A32384 052215 242 W 29TH ST
BALTIMORE MD 21211

NEXT PAGE

P/N

PAGE 038

11:31:20 Friday, February 19, 2016

CON FULL NAME/PHONE NUMBER	IDENT	ADD/FILE	STREET/CITY STATE	ZIPCODE	V/W
02/19/16 CRIMINAL COURT OF BALTIMORE					
CASE 115141036 ST A WHITE, ALICIA SERGEANT					
COD NERO, EDWARD MICHAEL OFC	A32383	052215	242 W 29TH ST		
			BALTIMORE MD	21211	
COD PORTER, WILLIAM G OFFICER	A32386	052215	242 W 29TH STREET		
			BALTIMORE MD	21211	
ADF GARCIA, TONY	288350	060115	201 N CHARLES ST STE 1900		
410-814-4600		052715	BALTIMORE MD	21202	
ADF BALL, CHAZ R	35445	012116	300 E LOMBARD ST #1100		
410-685-2022		012016	BALTIMORE MD	21202	
ADF BATES, IVAN	43061	060115	201 N CHARLES ST SUITE 1900		
410-814-4600		052715	BALTIMORE MD	21201	
ADF LLOYD, MARY	502475	060115	201 N CHARLES ST STE 1900		
410-814-4600		052715	BALTIMORE MD	21201	
ADF BELSKY, MICHAEL	52933	012116	300 EAST LOMBARD ST STE 1100		
410-685-2022		012016	BALTIMORE MD	21202	
ASA MOSBY, MARILYN J	589290	091015	120 E BALTIMORE ST		
		091015	BALTIMORE MD	21202	
ASA PILLION, MATTHEW	653491	071415	120 E BALTIMORE STREET		
		071315	BALTIMORE MD	21202	
ASA BLEDSOE, JANICE L	68776	052215	120 E BALTIMORE ST 10TH FL		
443-984-2966		072415	BALTIMORE MD	21202	
NEXT PAGE			P/N		PAGE 039

11:31:20 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE			CASE INQUIRY 11:30
CASE 115141036 ST A WHITE, ALICIA SERGEANT		A32385	COD Y DCM C 090215
CON FULL NAME/PHONE NUMBER	IDENT ADD/FILE		STREET/CITY STATE ZIPCODE V/W
ASA SCHATZOW, MICHAEL	717876 061815	120 E BALTIMORE ST 10TH FL	
		061715	BALTIMORE MD 21202
WIS COGEN, SAM MAJOR		052215	100 N CALVERT STREET
			BALTIMORE MD 21202
PO TAYLOR, DAWNYELL S	G932 052215		DET DIV HOMICIDE SECTION

NEXT PAGE

P/N

PAGE 040

11:31:21 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE
CASE 115141036 ST A WHITE, ALICIA SERGEANT
BAIL TYPE S

CASE INQUIRY 11:30
A32385 COD Y DCM C 090215
UPDATED ON 05/22/15 BY SCB 001

AMOUNT 350000 TOTAL 0 PROPERTY VAL 0 MORTGAGE 0
DATE POSTED 050115 BAIL NO FCS-500-1500222 LOC DC GR RENT
DATE FORFEIT JUDGE IDENT
FORFEIT COMMENT
DATE EXTENDED DAYS EXTENDED 000 JUDGE IDENT
DATE JUDGEMENT
DATE CLOSED REASON JUDGE IDENT
BONDSMAN1 HEAVENS, NICHOLAS H IDENT TELEPHONE
ADDRESS 1101 NORTH POINT BLVD STE 121 CITY BALTIMORE ST MD ZIP 21224
BONDSMAN2
ADDRESS CITY ST ZIP
COMP/PROPERTY *FINANCIAL CASUALTY & SURETY IDENT 35

END OF DATA

P/1

PAGE 041

11:30:21 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:29
CASE 115141032 DCM TRACK C DATE 090215 FELONY DRUG INIT
CASE 115141032 STATUS A DATE 052115 PREV ST CODEF NO CHANGE 021816
DEF GOODSON, CAESAR R OFC ID A32384 SID 004207138 R: B S: M DOB 072669
ADDRESS 242 W 29TH ST BALTIMORE MD 21211
DOA 000000 CMPL 71504000 PHYS LOC CASE LOC BAL 050115
DOF 052115 TRACK NO 15-1001-24326-0 DIST CASE 6B02294452 WAR 00 CJIS RI 1
001 000 A USER MUR05 CODE 1 0999 MURDER-2ND DEGREE DISP
ARREST/CITATION NO 0

	PLEA	DATE	VERDICT	DATE	
SENTENCE	TYPE	DATE	TIME	BEG	SUSP
	PROBATION	TIME	TYPE	COST	FINE
002 000 A USER	MANS1	CODE 1 0910	MANSLAUGHTER		DISP
ARREST/CITATION	NO 0				

	PLEA	DATE	VERDICT	DATE	
SENTENCE	TYPE	DATE	TIME	BEG	SUSP
	PROBATION	TIME	TYPE	COST	FINE
003 000 A USER	ASLT2	CODE 1 1415	ASSAULT-SEC DEGREE		DISP
ARREST/CITATION	NO 0				

	PLEA	DATE	VERDICT	DATE	
SENTENCE	TYPE	DATE	TIME	BEG	SUSP
	PROBATION	TIME	TYPE	COST	FINE

NEXT PAGE

P/N

PAGE 001

TRUE COPY
TEST

[Handwritten Signature]
2/19/16

LAVINIA G. ALEXANDER, CLERK



11:30:22 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE
CASE 115141032 ST A GOODSON, CAESAR R OFC
004 000 A USER MANS2 CODE 1 0909

CASE INQUIRY 11:29
A32384 COD N DCM C 090215
MANSLAUGHTER AUTO/BOAT DISP

ARREST/CITATION NO 0
PLEA DATE
SENTENCE TYPE DATE
PROBATION TIME

VERDICT DATE
TIME BEG SUSP
TYPE COST FINE
CR NEG MANSLGHTR VEH/V DISP

005 000 A USER MANS CODE 1 1611
ARREST/CITATION NO 0

PLEA DATE
SENTENCE TYPE DATE
PROBATION TIME

VERDICT DATE
TIME BEG SUSP
TYPE COST FINE
MISCONDUCT IN OFFICE DISP

006 000 A USER MISC CODE 2 0645
ARREST/CITATION NO 0

PLEA DATE
SENTENCE TYPE DATE
PROBATION TIME

VERDICT DATE
TIME BEG SUSP
TYPE COST FINE
RECKLESS ENDANGERMENT DISP

007 000 A USER RECKL CODE 1 1425
ARREST/CITATION NO 0

PLEA DATE
SENTENCE TYPE DATE
PROBATION TIME

VERDICT DATE
TIME BEG SUSP
TYPE COST FINE

NEXT PAGE

P/N

PAGE 002

11:30:23 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE
CASE 115141032 ST A GOODSON, CAESAR R OFC A32384 CASE INQUIRY 11:29
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT COD N DCM C 090215
101315 P31 09:30 528 PMOT
101415 P31 09:30 528 PMOT
CASI 052115 CKW CASE ADDED THROUGH ON-LINE ON THIS DATE 20150522
COMM 052115 CKW INDICTMENT FLD
COMM 052115 CKW FILED ASA - BLEDSOE, JANICE L , ESQ 68776
COMM 052115 SCB CC# 7150400000
COMM 052715 S8T JOINT MOTION TO DISMISS FOR PROSECUTORIAL MISCONDUCT, OR IN
COMM 052715 S8T THE ALTERNATIVE, FOR SANCTIONS FILED BY MATHEW FRALING
COMM 052715 S8T MOTION FOR REMOVAL & REQUEST FOR A HEARING FILED BY MATHEW
COMM 052715 S8T FRALING CC:JUDGE PETERS
COMM 052715 S8T JOINT MOTION FOR RECUSAL OF BALTIMORE CITY STATE ATTORNEY'S
COMM 052715 S8T OFFICE FILED BY MATHEW FRALING CC:JUDGE PETERS
MOTF 052715 S8T MOTION FOR SPEEDY TRIAL
MOTF 052715 S8T MOTION TO PRODUCE DOCUMENTS
MOTF 052715 S8T REQUEST FOR DISCOVERY
MOTF 052715 S8T MOTION TO SUPPRESS PURSUANT TO MD 4-252 AND 4-253
MOTF 052715 S8T MOTION FOR GRAND JURY TESTIMONY
MOTF 052715 S8T DEMAND FOR CHEMIST
COMM 052715 S8T MEMORANDUM IN SUPPORT OF MOTION FOR REMOVAL & REQUEST FOR A

NEXT PAGE

P/N

PAGE 003

11:30:23 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE

CASE INQUIRY 11:29

CASE 115141032 ST A GOODSON, CAESAR R OFC

A32384 COD N DCM C 090215

EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT

COMM 052715 S8T HEARING FILED BY MATTHEW FRALING CC: JUDGE PETERS
COMM 052715 S8T APPENDIX TO DEFENDANT'S MEMORANDUM IN SUPPORT OF MOTION FOR
COMM 052715 S8T REMOVAL & REQUEST FOR A HEARING FILED BY MATTHEW FRALING CC
COMM 052715 S8T JUDGE PETERS
COMM 052815 S8T DEFENDANT'S DEMAND FOR BILL OF PARTICULARS FILED
COMM 052915 CHH CSET ARR; PO8; 07/02/15; CHH
COMM 060115 SCB STATE'S MOTION TO EXTEND TIME REQUIREMENTS TO RESPOND TO
COMM 060115 SCB DEF'S MOTIONS FILED; CC: JUDGE PETERS
COMM 060315 SCB DEF'S JOINT RESPONSE IN OPPOSITION TO STATE'S MOTION
COMM 060315 SCB FOR EXTENSION OF TIME FLD (DISK INCLUDED); CC: JUDGE PETERS
COMM 060315 SCY DEF'S JOINT RESPONSE IN OPPOSITION TO STATE'S MOTION
COMM 060315 SCY FOR EXTENSION OF TIME FLD (DISK INCLUDED); CC: JUDGE PETERS
COMM 060415 SCY DATE STAMPED & ORDERED 6/4/15, STATE'S MOTION TO EXTEND TIME
COMM 060415 SCY REQUIREMENTS TO RESPOND TO DEFT'S MOTIONS, & THE DEFT'S JOINT
COMM 060415 SCY RESPONSE IN OPPOSITION TO STATE'S MOTION FOR EXTENSION OF
COMM 060415 SCY TIME, & HAVING FOUND CAUSE AS REQUIRED BY RULE 1-204(A), IT
COMM 060415 SCY IS ORDERED THAT THE STATE SHALL RESPOND TO DEFT'S MOTION FOR
COMM 060415 SCY REMOVAL, JOINT MOTION FOR RECUSAL OF BALTIMORE CITY STATE'S
COMM 060415 SCY ATTY'S OFFICE, & JOINT MOTION TO DISMISS FOR PROSECUTORIAL

NEXT PAGE

P/N

PAGE 004

11:30:24 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE

CASE INQUIRY 11:29

CASE 115141032 ST A GOODSON, CAESAR R OFC

A32384 COD N DCM C 090215

EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 060415 SCY MISCONDUCT OR, IN THE ALTERNATIVE, FOR SANCTIONS BY JUNE 26,
COMM 060415 SCY 2015; & IT IS FURTHER ORDERED THAT THE DEFT MAY FILE THE
COMM 060415 SCY MANDATORY MOTIONS SET FORTH IN RULE 4-252(A) WITHIN 45 DAYS
COMM 060415 SCY AFTER THE EARLIER OF THE APPEARANCE OF COUNSEL OR THE FIRST
COMM 060415 SCY APPEARANCE OF THE DEFT BEFORE THE COURT PURSUANT TO RULE
COMM 060415 SCY 4-213(C). PETERS, J (COPIES SENT BY CHAMBERS)
COMM 060515 CPR DEFENDANT'S PRELIMINARY RESPONSE TO THE STATE'S MOTION FOR
COMM 060515 CPR ISSUANCE BANNING EXTRAJUDICIAL STATEMENTS AND DEFENDANTS
COMM 060515 CPR RESPONSE TO THE NEWS MEDIA INTERVENORS MOTION TO INTERVENE
COMM 060515 CPR AND OPPOSE THE STATE'S MOTION FOR ISSUANCE OF ORDER
COMM 060515 CPR BARRING EXTRAJUDICIAL STATEMENTS; CC: JUDGE PETERS
COMM 060815 SCB STATE'S RESPONSE TO DEF'S DEMAND FOR BILL OF PARTICULARS FLD
COMM 060815 SCB CC: JUDGE PETERS
COMM 060915 SCY SUPPLEMENTAL TO DEFENDANT'S JOINT MOTION FOR RECUSAL OF
COMM 060915 SCY BALTIMORE CITY STATE'S ATTORNEY'S OFFICE CC: PETERS, J
COMM 061115 SBT STATE'S RESPONSE TO DEFENDANT'S OMNIBUS MOTIONS FILED
COMM 061515 CKW STATE'S MOTION FOR PROTECTIVE ORDER PURSUANT TO RULE 4-263
COMM 061515 CKW (M), MEMORANDUM IN SUPPORT THEREOF, AND REQUEST FOR
COMM 061515 CKW EXPEDITED HEARING FILE

NEXT PAGE

P/N

PAGE 005

11:30:24 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE
CASE 115141032 ST A GOODSON, CAESAR R OFC A32384 COD N DCM C 090215 CASE INQUIRY 11:29
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT ;TICKLE DATE= 20150703
MPRO 061515 CKW MOTION FOR PROTECTIVE ORDER , ESQ 322413
FILE 061515 CPR FILED ADF - GRAHAM, ANDREW JAY , ESQ 717876
COMM 061715 CKW FILED ASA - SCHATZOW, MICHAEL
COMM 061715 CKW OFFICE OF THE STATE'S ATTORNEY FOR BALTIMORE CITY'S
COMM 061715 CKW OPPOSITION TO DEF'S JOINT MOTION FOR RECUSAL OF BALTIMORE
COMM 061715 CKW CITY STATE'S ATTORNEY'S OFFICE FLD
COMM 061815 1gj DEFENDANT'S EXCEPTIONS TO STATE'S BILL OF PARTICULARS
FILE 061815 1gj FILED ADF - FRALING, MATTHEW , ESQ 270545
COMM 062215 CMS ORDER OF COURT DATE STAMPED 6-22-15, THE COURT
COMM 062215 CMS HAVING DETERMINED THAT THE ASSIGNMENT OF THESE CASES TO
COMM 062215 CMS SINGLE JUDGE IS APPROPRIATE, IT IS THIS 19TH DAY OF
COMM 062215 CMS JUNE, 2015, ORDERED THAT THESE CASES ARE ASSIGNED TO
COMM 062215 CMS JUDGE BARRY WILLIAMS FOR ALL FURTHER PROCEEDINGS. COPIES
COMM 062215 CMS OF ALL PAPERS FILED WITH THE CLERK SHOULD BE SIMULTANEOUSLY
COMM 062215 CMS SENT TO JUDGE WILLIAMS' CHAMBERS. W. MICHEL PIERSON J.
COMM 062215 CMS ORDER OF COURT DATE STAMPED 6-22-15, UPON CONSULTATION
COMM 062215 CMS WITH THE PARTIES TO THE ABOVE-CAPTIONED CASES THROUGH
COMM 062215 CMS COUNSEL, IT IS THIS 19TH DAY OF JUNE, 2015, ORDERED THAT
COMM 062215 CMS A MOTIONS HEARING IS SCHEDULED FOR SEPTEMBER 2, 2015, AT

NEXT PAGE

P/N

PAGE 006

11:30:25 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE

CASE INQUIRY 11:29

CASE 115141032 ST A GOODSON, CAESAR R OFC

A32384 COD N DCM C 090215

EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 062215 CMS 9:30 A.M. AND FURTHER ORDERED THAT THE TRIALS IN EACH OF
COMM 062215 CMS THE ABOVE-CAPTIONED CASES ARE SCHEDULED FOR OCTOBER 13,
COMM 062215 CMS 2015, AND FURTHER ORDERED THAT THE ARRAIGNMENTS SCHEDULED
COMM 062215 CMS FOR JULY 2, 2015 SHALL BE CANCELLED UPON THE ENTRY BY
COMM 062215 CMS EACH DEFENDANT OF A PLEA OF NOT GUILTY IN WRITING PURSUANT
COMM 062215 CMS TO RULE 4-242(B) ON OR BEFORE JUNE 26, 2015.
COMM 062215 CMS W. MICHEL PIERSON J.
COMM 062215 CMS COPY OF ORDERS MAILED TO ALL COUNSEL
COMM 062215 CNN PLEA AND REQUEST FOR JURY TRIAL FILED
COMM 062315 CKW SUPPLEMENT TO OFFICE OF THE STATE'S ATTORNEY FOR
COMM 062315 CKW BALTIMORE CITY'S OPPOSITION TO DEFS JOINT MOTION FOR
COMM 062315 CKW RECUSAL OF BALTIMORE CITY STATE'S ATTORNEY'S OFFICE FLD;
COMM 062315 CKW CC: JUDGE WILLIAMS
COMM 062315 CKW OFFICE OF THE STATE'S ATTORNEY FOR BALTIMORE CITY'S
COMM 062315 CKW OPPOSITION TO DEFS JOINT MOTION TO DISMISS FOR
COMM 062315 CKW PROSECUTORIAL MISCONDUCT, OR IN THE ALTERNATIVE, FOR
COMM 062315 CKW SANCTIONS FLD
COMM 062415 SCY DATE STAMPED & ORDERED 6/24/15, THIS COURT IS IN RECEIPT OF
COMM 062415 SCY STATE'S MOTION FOR PROTECTIVE ORDER PURSUANT TO RULE 4-263

NEXT PAGE

P/N

PAGE 007

11:30:25 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE

CASE INQUIRY 11:29

CASE 115141032 ST A GOODSON, CAESAR R OFC

A32384 COD N DCM C 090215

EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 062415 SCY (M) FILED ON JUNE 15, 2015. PURSUANT TO RULE 1-203(C) AND
COMM 062415 SCY 4-252(F), ANY DEFENSE RESPONSE IS DUE ON OR BEFORE JULY 6,
COMM 062415 SCY 2015. THIS COURT NOTES THAT IN THE MOTION THE STATE
COMM 062415 SCY REQUESTED AN EXPEDITED HEARING BUT FAILED TO COMPLY WITH
COMM 062415 SCY RULE 1-204(A), WHICH PERMITS A COURT TO SHORTEN TIME FOR
COMM 062415 SCY A RESPONSE. HAVING FAILED TO SHOW THIS COURT THAT THE
COMM 062415 SCY CONDITION UNDER WHICH A MOTION TO SHORTEN TIME SHOULD BE
COMM 062415 SCY GRANTED, & IS HEREBY ORDERED THAT THE STATE'S REQUEST FOR
COMM 062415 SCY AN EXPEDITED HEARING, OR IN THE ALTERNATIVE, TO SHORTEN
COMM 062415 SCY THE TIME FOR RESPONSE, IS DENIED. WILLIAMS, J (COPIES
COMM 062415 SCY SENT BY CHAMBERS)
COMM 062415 lgj SUPPLEMENT TO OFFICE OF THE STATE'S ATTORNEY FOR BALTIMORE
COMM 062415 lgj CITY'S MOTION FOR PROTECTIVE ORDER
COMM 062415 lgj FILED ASA - BLEDSOE, JANICE L , ESQ 68776
COMM 062515 ldm CASE REMOVED FROM 7/2/15 ARR. DOCKET AS PER JUDGE PETERS
COMM 062615 CKW STATE'S RESPONSE TO DEFS MOTION FOR REMOVAL FLD
COMM 062615 SCB STATE'S MOTION FOR JOINT TRIAL OF DEFENDANTS FLD
COMM 062615 SCB STATE'S INITIAL DISCLOSURES, NOTICES, AND MOTIONS FLD
COMM 062615 SCB STATE'S INDEX OF INFORMATION PRODUCED IN DISCOVERY FLD

NEXT PAGE

P/N

PAGE 008

11:30:26 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE
CASE 115141032 ST A GOODSON, CAESAR R OFC

CASE INQUIRY 11:29
A32384 COD N DCM C 090215

EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 063015 CZC DEF'S JOINT MOTION IN OPPOSITION TO STATE'S MOTION FOR
COMM 063015 CZC PROTECTIVE ORDER PURSUANT TO RULE 4-263 (M), MEMORANDUM
COMM 063015 CZC IN SUPPORT , AND REQUEST FOR EXPEDITED HEARING FLD.
HCAL 070215 1DM P08;0930;509 ;ARRG; ;POST;OTH;PETERS, CHARLES;8E3
HCAL 070215 SCB P08;0930;509 ;ARRG; ;OTHR; ;SFEKAS, STEPHEN;8E4
COMM 070215 SCB SET IN ERROR; NO FILE IN COURT
HCAL 070215 1DM P08;0930;509 ;ARRG; ;TSET; ;WILLIAMS, BARRY;8C9
COMM 070615 CKW DEF'S REPLY TO STATE'S RESPONSE TO DEF'S MOTION FOR REMOVAL
COMM 070615 CKW AND REQUEST FOR HEARING FLD; CC: JUDGE WILLIAMS
COMM 070715 SCB CSET ARRG; P08; 07/02/15; SCB
COMM 070815 CZC DEFENDANT'S JOINT MOTION IN OPPOSITION TO STATE'S MOTION
COMM 070815 CZC FOR PROTECTIVE ORDER PURSUANT TO RULE 4-263(M),
COMM 070815 CZC MEMORANDUM IN SUPPORT, AND REQUEST FOR EXPEDITED HEARING
COMM 070815 CZC WHICH WAS FLD. 6-30-15, HAND DELIVERED TO JUDGE WILLIAMS'
COMM 070815 CZC CHAMBERS.
COMM 070815 CZC STATE'S RESPONSE TO DEFENDANTS' JOINT MOTION IN OPPOSITION
COMM 070815 CZC TO STATE'S MOTION FOR PROTECTIVE ORDER STATE'S RENEWED
COMM 070815 CZC REQUEST FOR HEARING FLD.
COMM 070915 CZC STATE'S RESPONSE TO DEFENDANTS' JOINT MOTION IN OPPOSITION

NEXT PAGE

P/N

PAGE 009

11:30:26 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:29
CASE 115141032 ST A GOODSON, CAESAR R OFC A32384 COD N DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 070915 CZC TO STATE'S MOTION FOR PROTECTIVE ORDER STATE'S RENEWED
COMM 070915 CZC REQUEST FOR HEARING HAND DELIVERED TO JUDGE WILLIAMS'
COMM 070915 CZC CHAMBERS.
MTAN 070915 lgj MOTION FOR SUBPOENA / TANGIBLE EVID; TICKLE DATE= 20150717
COMM 071315 SCY STATE'S APPENDIX OF EVIDENCE IN SUPPORT OF MOTION FOR
COMM 071315 SCY PROTECTIVE ORDER PURSUANT TO RULE 4-263(M) CC: WILLIAMS, J
COMM 071315 SCY FILED ASA - PILLION, MATTHEW , ESQ 653491
COMM 071315 SCB DEFS MOTION TO SUPPRESS THE SEARCH AND SEIZURE OF DEFENDANTS
COMM 071315 SCB DEPARTMENTAL CELL PHONES AND REQUEST FOR FRANKS HEARING FLD
MPRO 071615 CNN MOTION FOR PROTECTIVE ORDER ; TICKLE DATE= 20150803
COMM 071615 CNN STATE'S MOTION TO QUASH TRIAL SUBPOENA BASED ON ABUSE OF
COMM 071615 CNN PROCESS (COPY DELIVERED TO JUDGE WILLIAMS CHAMBERS PER
COMM 071615 CNN PER LAW CLERK)
COMM 071615 CPR STATE'S RESPONSE TO DEFENDANT'S MOTION FOR SUBPOENA FOR
COMM 071615 CPR TANGIBLE EVIDENCE (COPY DELIVERED TO JUDGE WILLIAMS CHAMBERS
COMM 071615 CPR PER LAW CLERK)
COMM 071715 SCB STATE'S SUPPLEMENTAL DISCLOSURE FLD
COMM 071715 SCB ORDER DATED AND DATE STAMPED JULY 17, 2015; THAT THE STATE'S
COMM 071715 SCB MOTION FOR PROTECTIVE ORDER PURSUANT TO RULE 4-263(M) IS

NEXT PAGE

P/N

PAGE 010

11:30:26 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE
CASE 115141032 ST A GOODSON, CAESAR R OFC A32384 COD N DCM C 090215 CASE INQUIRY 11:29
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 071715 SCB DENIED; B. WILLIAMS, J
COMM 072115 1gj STATE'S OPPOSITION TO DEFENDANT'S JOINT MOTION TO SUPPRESS
COMM 072115 1gj THE SEARCH AND SEIZURE OF DEFENDANT'S DEPARTMENTAL CELL
COMM 072115 1gj PHONES AND REQUEST FOR FRANKS HEARING
COMM 072315 CKW REPLY TO STATE'S RESPONSE TO DEFS MOTION FOR SUBPOENA
COMM 072315 CKW FOR TANGIBLE EVIDENCE FLD; COPY DELIVERED TO JUDGE
COMM 072315 CKW WILLIAMS PER LAW CLERK
COMM 072415 1T2 WAITING ON RETURN CALL FROM JUDGE, WILLIAMS SEC.
COMM 072415 1T2 BEFORE SCHEDULING/NO TRIAL SUMMARY/7-22-15...TJ
COMM 072415 1gj STATE'S SUPPLEMENTAL DISCLOSURE
COMM 072415 1gj FILED ASA - BLEDSOE, JANICE L , ESQ 68776
COMM 072915 CPR REPLY TO STATE'S OPPOSITION TO MOTION TO SUPPRESS THE SEARCH
COMM 072915 CPR AND SEIZURE OF DEFENDANTS' DEPARTMENTAL CELL PHONES AND
COMM 072915 CPR REQUEST FOR FRANKS HEARING
MCOM 073015 1gj MOTION TO COMPEL DISCOVERY ;TICKLE DATE= 20150807
COMM 073015 1gj COPIES DELIVERED TO JUDGE WILLIAM'S CHAMBERS OER L.C.
COMM 073115 S8T RESPONSE TO STATE'S MOTION TO QUASH TRIAL SUBPOENA BASED ON
COMM 073115 S8T ABUSE OF PROCESS FILED CC:JUDGE WILLIAMS
COMM 080415 CKW LINE FILED; COPY DELIVERED TO JUDGE WILLIAMS PER ATTORNEY

NEXT PAGE

P/N

PAGE 011

11:30:27 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:29
CASE 115141032 ST A GOODSON, CAESAR R OFC A32384 COD N DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 080615 SCB STATE'S SUPPLEMENTAL DISCLOSURE FLD
COMM 080615 SCB DEF'S SUPPLEMENTAL MEMORANDUM IN SUPPORT OF JOINT MOTION
COMM 080615 SCB FOR RECUSAL OF THE BALTIMORE CITY STATE'S ATTORNEY'S OFFICE
COMM 080615 SCB COPY DELIVERED TO JUDGE WILLIAMS' CHAMBERS
COMM 080615 SCB STATE'S MOTION TO SANCTION THE DEF'S ATTORNEYS FOR
COMM 080615 SCB UNPROFESSIONAL CONDUCT AND ABUSE OF COMPULSORY PROCESS FLD
COMM 080615 SCB STATE'S MOTION TO STRIKE AS A SANCTION FOR DEF'S VIOLATION
COMM 080615 SCB OF RULE 4-263(I) OR, ALTERNATIVELY, STATE'S RESPONSE TO
COMM 080615 SCB DEF'S JOINTLY FILED MOTION TO COMPEL AND FOR SANCTIONS FLD
COMM 081015 SCJ TIME STAMPED 8/10/15 - ORDER DATED 8/10/15 THAT UPON
COMM 081015 SCJ CONSIDERATION OF DEFENDANT'S EXCEPTIONS TO STATE'S BILL OF
COMM 081015 SCJ PARTICULARS AND HAVING FOUND THAT THE STATE'S RESPONSE TO
COMM 081015 SCJ DEFENDANT'S DEMAND FOR BILL OF PARTICULARS IS SUFFICIENT
COMM 081015 SCJ ORDERED THAT DEFENDANT'S REQUEST FOR FURTHER RESPONSE BY
COMM 081015 SCJ THE STATE IS DENIED PER JUDGE WILLIAMS, FD - COPIES SENT
COMM 081015 SCJ TO ALL PARTIES
COMM 081115 CKW DEFENDANTS WAIVER OF APPEARANCE FLD
COMM 081415 CPR STATE'S MOTION TO QUASH HEARING SUBPOENA REQUESTED BY
COMM 081415 CPR CATHERINE FLYNN AND SERVED ON ASSISTANT STATE'S ATTORNEY

NEXT PAGE

P/N

PAGE 012

11:30:27 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:29
CASE 115141032 ST A GOODSON, CAESAR R OFC A32384 COD N DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 081415 CPR ALBERT PEJSINGER
COMM 081415 CPR STATE'S MOTION TO QUASH HEARING SUBPOENA SERVED ON WAYNE
COMM 081415 CPR WILLIAMS
COMM 081415 CPR STATE'S MOTION TO QUASH HEARING SUBPOENA SERVED ON AVON
COMM 081415 CPR MACKEL
COMM 081415 CKW STATE'S MOTION TO QUASH HEARING SUBPOENA REQUESTED BY
COMM 081415 CKW CATHERINE FLYNN AND SERVED ON DEPUTY STATE'S ATTORNEY
COMM 081415 CKW ANTONIO GIOIA
MPRO 081415 CKW MOTION FOR PROTECTIVE ORDER ;TICKLE DATE= 20150901
MPRO 081415 SCB MOTION FOR PROTECTIVE ORDER ;TICKLE DATE= 20150901
MPRO 081415 SCB MOTION FOR PROTECTIVE ORDER ;TICKLE DATE= 20150901
MPRO 081415 SCB MOTION FOR PROTECTIVE ORDER ;TICKLE DATE= 20150901
MPRO 081415 SBT MOTION FOR PROTECTIVE ORDER ;TICKLE DATE= 20150901
COMM 081415 SBT STATE'S MOTION TO QUASH HEARING SUBPOENA REQUESTED BY
COMM 081415 SBT CATHERINE FLYNN & SERVED ON STATE'S ATTORNEY MARILYN
COMM 081415 SBT MOSBY FILED
MPRO 081415 CNN MOTION FOR PROTECTIVE ORDER ;TICKLE DATE= 20150901
COMM 081415 CNN STATE'S MOTION TO QUASH HEARING SUBPOENA REQUESTED BY
COMM 081415 CNN CATHERINE FLYNN AND SERVED ON DR. CAROL ALLEN

NEXT PAGE

P/N

PAGE 013

11:30:28 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:29
CASE 115141032 ST A GOODSON, CAESAR R OFC A32384 COD N DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
MPRO 081415 lgj MOTION FOR PROTECTIVE ORDER ;TICKLE DATE= 20150901
COMM 081415 lgj STATE'S MOTION TO QUASH HEARING SUBPOENA REQUESTED BY
COMM 081415 lgj CATHERINE FLYNN AND SERVED ON ASSISTANT STATE'S ATTORNEY
COMM 081415 lgj LISA GOLDBERG
COMM 081415 SCB STATE'S MOTION TO QUASH HEARING SUBPOENA REQUESTED BY
COMM 081415 SCB BY CATHERINE FLYNN AND SERVED ON DEPUTY STATE'S ATTORNEY
COMM 081415 SCB JANICE BLEDSOE FLD
MPRO 081415 SCB MOTION FOR PROTECTIVE ORDER ;TICKLE DATE= 20150901
COMM 081415 SCB STATE'S MOTION TO QUASH HEARING SUBPOENA REQUESTED BY
COMM 081415 SCB CATHERINE FLYNN AND SERVED ON CHIEF DEPUTY STATE'S
COMM 081415 SCB ATTORNEY MICHAEL SCHATZOW FLD
MPRO 081415 SCB MOTION FOR PROTECTIVE ORDER ;TICKLE DATE= 20150901
COMM 081815 SCY DATE STAMPED & ORDERED 7/17/15, FINDING MS. FLYNN'S ISSUANCE
COMM 081815 SCY OF A SUBPOENA FOR THE SEPTEMBER 2, 2015 HEARING TO BE IN-
COMM 081815 SCY CONSISTENT WITH THIS COURT'S RULING, IT IS THEI S
COMM 081815 SCY DATE STAMPED & ORDERED 8/17/15, STATE'S MOTION TO QUASH
COMM 081815 SCY HEARING SUBPOENA REQUESTED BY CATHERINE FLYNN AND SERVED
COMM 081815 SCY ON DR. CAROL ALLEN. ORDERED THAT THE HEARING SUBPOENA
COMM 081815 SCY SERVED ON DR. CAROL ALLEN FOR THE SEPTEMBER 2, 2015.

NEXT PAGE

P/N

PAGE 014

11:30:28 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:29
CASE 115141032 ST A GOODSON, CAESAR R OFC A32384 COD N DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 081815 SCY HEARING IS QUASHED. (SEE ORDER) WILLIAMS, J (CC: ALL
COMM 081815 SCY COUNSEL OF RECORD)
COMM 081915 SCY DATE STAMPED & ORDERED 8/17/15, STATE'S MOTION TO QUASH
COMM 081915 SCY HEARING SUBPOENA REQUESTED BY CATHERINE FLYNN AND SERVED
COMM 081915 SCY ON ASSISTANT STATE'S ATTORNEY, ALBERT PEISINGER. ORDERED,
COMM 081915 SCY THAT THE HEARING SUBPOENA SERVED ON ALBERT PEISINGER FOR
COMM 081915 SCY THE SEPTEMBER 2, 2015 HEARING IS QUASHED. WILLIAMS, J
COMM 081915 SCY (CC: ALL COUNSEL OF RECORD)
COMM 081915 SCY DATE STAMPED & ORDERED 8/17/15, STATE'S MOTION TO QUASH
COMM 081915 SCY HEARING SUBPOENA REQUESTED BY CATHERINE FLYNN AND SERVED
COMM 081915 SCY ON ASSISTANT STATE'S ATTORNEY LISA GOLDBERG. ORDERED,
COMM 081915 SCY THAT THE HEARING SUBPOENA SERVED ON LISA GOLDBERG FOR THE
COMM 081915 SCY SEPTEMBER 2, 2015 HEARING IS QUASHED. WILLIAMS, J (CC: ALL
COMM 081915 SCY COUNSEL OF RECORD)
COMM 081915 SCY DATE STAMPED & ORDERED 8/17/15, STATE'S MOTION TO QUASH
COMM 081915 SCY HEARING SUBPOENA REQUESTED BY CATHERINE FLYNN AND SERVED
COMM 081915 SCY ON WAYNE WILLIAMS. ORDERED, THAT THE HEARING SUBPOENA
COMM 081915 SCY SERVED ON WAYNE WILLIAMS FOR THE SEPTEMBER 2, 2015 HEARING
COMM 081915 SCY IS QUASHED. WILLIAMS, J (CC: ALL COUNSEL OF RECORD)

NEXT PAGE

P/N

PAGE 015

11:30:29 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:29
CASE 115141032 ST A GOODSON, CAESAR R OFC A32384 COD N DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 081915 SCY DATE STAMPED & ORDERED 8/17/15, STATE'S MOTION TO QUASH
COMM 081915 SCY HEARING SUBPOENA REQUESTED BY CATHERINE FLYNN AND SERVED
COMM 081915 SCY ON AVON MACKEL. ORDERED, THAT THE HEARING SUBPOENA SERVED
COMM 081915 SCY ON AVON MACKEL FOR THE SEPTEMBER 2, 2015 HEARING IS QUASHED.
COMM 081915 SCY (CC: ALL COUNSEL OF RECORD)
COMM 081915 SCY DATE STAMPED & ORDERED 8/17/15, STATE'S MOTION TO QUASH
COMM 081915 SCY HEARING SUBPOENA REQUESTED BY CATHERINE FLYNN AND SERVED
COMM 081915 SCY ON CHIEF DEPUTY STATE'S ATTORNEY MICHAEL SCHATZOW. ORDERED,
COMM 081915 SCY THAT THE HEARING SUBPOENA SERVED ON MICHAEL SCHATZOW FOR THE
COMM 081915 SCY SEPTEMBER 2, 2015 HEARING IS QUASHED. WILLIAMS, J (CC: ALL
COMM 081915 SCY COUNSEL OF RECORD)
COMM 081915 SCY DATE STAMPED & ORDERED 8/17/15, STATE'S MOTION TO QUASH
COMM 081915 SCY HEARING SUBPOENA REQUESTED BY CATHERINE FLYNN AND SERVED
COMM 081915 SCY ON STATE'S ATTORNEY MARILYN MOSBY. ORDERED, THAT THE
COMM 081915 SCY HEARING SUBPOENA SERVED ON MARILYN MOSBY FOR THE SEPTEMBER
COMM 081915 SCY 2, 2015 HEARING IS QUASHED. WILLIAMS, J (CC: ALL COUNSEL
COMM 081915 SCY OF RECORD)
COMM 081915 SCY DATE STAMPED & ORDERED 8/17/15, STATE'S MOTION TO QUASH
COMM 081915 SCY HEARING SUBPOENA REQUESTED BY CATHERINE FLYNN AND SERVED

NEXT PAGE

P/N

PAGE 016

11:30:29 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:29
CASE 115141032 ST A GOODSON, CAESAR R OFC A32384 COD N DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 081915 SCY ON DEPUTY STATE'S ATTORNEY JANICE BLEDSOE. ORDERED, THAT
COMM 081915 SCY THE HEARING SUBPOENA SERVED ON JANICE BLEDSOE FOR THE
COMM 081915 SCY SEPTEMBER 2, 2015 HEARING IS QUASHED. WILLIAMS, J (CC: ALL
COMM 081915 SCY COUNSEL OF RECORD)
COMM 081915 SCY DATE STAMPED & ORDERED 8/17/15, STATE'S MOTION TO QUASH
COMM 081915 SCY HEARING SUBPOENA REQUESTED BY CATHERINE FLYNN AND SERVED
COMM 081915 SCY ON DEPUTY STATE'S ATTORNEY ANTONIO GIOIA. ORDERED, THAT
COMM 081915 SCY THE HEARING SUBPOENA SERVED ON ANTONIO GIOIA FOR THE
COMM 081915 SCY SEPTEMBER 2, 2015 HEARING IS QUASHED. WILLIAMS, J (CC: ALL
COMM 081915 SCY COUNSEL OF RECORD)
COMM 081915 CPR STATE'S SUPPLEMENTAL DISCLOSURE
COMM 082415 SCB STATE'S MOTION TO QUASH HEARING SUBPOENA SERVED ON
COMM 082415 SCB DETECTIVE DAWNYELL TAYLOR FLD
MPRO 082415 SCB MOTION FOR PROTECTIVE ORDER ;TICKLE DATE= 20150911
COMM 082415 SCB STATE'S MOTION TO QUASH HEARING SUBPOENA SERVED ON
COMM 082415 SCB MAJOR SAM COGAN FLD
MPRO 082415 SCB MOTION FOR PROTECTIVE ORDER ;TICKLE DATE= 20150911
COMM 082415 SCB STATE'S MOTION TO QUASH HEARING SUBPOENA SERVED ON THE
COMM 082415 SCB CUSTODIAN OF RECORDS FOR THE OFFICE OF THE CHIEF MEDICAL

NEXT PAGE

P/N

PAGE 017

11:30:30 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE
CASE 115141032 ST A GOODSON, CAESAR R OFC

CASE INQUIRY 11:29
A32384 COD N DCM C 090215

EVENT DATE	OPER	PART TIME ROOM REAS / EVENT COMMENT
COMM 082415	SCB	EXAMINER FLD
MPRO 082415	SCB	MOTION FOR PROTECTIVE ORDER ;TICKLE DATE= 20150911
MPRO 082415	SCB	MOTION FOR PROTECTIVE ORDER ;TICKLE DATE= 20150911
COMM 082415	SCB	STATE'S RESPONSE TO DEF'S SUPPLEMENTAL MEMORANDUM IN
COMM 082415	SCB	SUPPORT OF JOINT MOTION FOR RECUSAL OF BALTIMORE CITY
COMM 082415	SCB	STATE'S ATTORNEY OFFICE FLD
MPRO 082515	CKW	MOTION FOR PROTECTIVE ORDER ;TICKLE DATE= 20150912
COMM 082615	CMS	ORDER OF COURT DATED AUGUST 26, 2015, SECURITY/MEDIA
COMM 082615	CMS	PROTOCOL ORDER FILED. ORDER IS SUBJECT TO MODIFICATION
COMM 082615	CMS	BY THE COURT AT ANY TIME. W. MICHEL PIERSON J
COMM 082615	CMS	COPIES MAILED TO ALL COUNSEL
COMM 082615	SCB	ORDER DATED AUGUST 25, 2015 AND DATE STAMPED AUGUST 26, 2015
COMM 082615	SCB	THAT THE SUBPOENA SERVED ON DETECTIVE DAWNYELL TAYLOR FOR
COMM 082615	SCB	THE SEPTEMBER 2, 2015 HEARING IS QUASHED; WILLIAMS, J
COMM 082615	CKW	DATE STAMPED AND ORDERED AUGUST 25TH 2015 THAT THE HEARING
COMM 082615	CKW	SUBPOENA SERVED ON MAJOR SAM COGAN FOR THE SEPTEMBER 2 2015
COMM 082615	CKW	HEARING IS QUASHED
COMM 082615	SCB	ORDER DATED AUGUST 25, 2015 AND DATE STAMPED AUGUST 26, 2015
COMM 082615	SCB	THAT THE HEARING SUBPOENA SERVED ON THE CUSTODIAN OF RECORDS

NEXT PAGE

P/N

PAGE 018

11:30:30 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:29
CASE 115141032 ST A GOODSON, CAESAR R OFC A32384 COD N DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 082615 SCB FOR THE OFFICE OF THE CHIEF MEDICAL EXAMINER FOR THE
COMM 082615 SCB SEPTEMBER 2, 2015 HEARING IS QUASHED FLD; WILLIAMS, J
COMM 082615 CKW STATE'S MOTION TO QUASH HEARING SUBPOENA SERVED ON
COMM 082615 CKW COLONEL STANLEY BRANFORD FLD
MPRO 082615 CKW MOTION FOR PROTECTIVE ORDER ;TICKLE DATE= 20150913
COMM 082615 CKW STATE'S MOTION TO QUASH ALL HEARING SUBPOENAS ISSUED BY
COMM 082615 CKW THE DEFENSE FOR THE SEPTEMBER 2, 2015, MOTIONS HEARING FLD
COMM 082715 CPR ORDER DATE STAMPED 8/27/15; ORDERED THIS 26TH DAY OF AUGUST
COMM 082715 CPR 2015 THAT THE HEARING SUBPOENA SERVED ON COLONEL STANLEY
COMM 082715 CPR BRANFORD FOR THE SEPTEMBER 2, 2015 HEARING IS QUASHED
COMM 082715 CPR JUDGE B. WILLIAMS
COMM 082715 CPR COPY MAILED TO STATE ATTORNEY(S) AND DEFENSE ATTORNEY(S)
COMM 082715 1gj SECOND REQUEST FOR AN EVIDENTIARY HEARING ON THE
COMM 082715 1gj SUPPLEMENTAL MEMORANDUM IN SUPPORT OF JOINT MOTION FOR
COMM 082715 1gj RECUSAL OF THE BALTIMORE CITY STATE'S ATTORNEY'S OFFICE
COMM 083115 1T2 CSET PMOT; P31; 09/02/15; 1T2 (PER COMPUTER/ORDER)
COMM 083115 S8T STATE'S RESPONSE TO DEFENDANT'S "SECOND REQUEST FOR AN
COMM 083115 S8T EVIDENTIARY HEARING ON THE SUPPLEMENTAL MEMORANDUM IN
COMM 083115 S8T SUPPORT OF JOINT MOTION FOR RECUSAL OF THE BALTIMORE CITY

NEXT PAGE

P/N

PAGE 019

11:30:31 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE
CASE 115141032 ST A GOODSON, CAESAR R OFC A32384 COD N DCM C 090215 CASE INQUIRY 11:29
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 083115 S8T STATE'S ATTORNEY'S OFFICE" FILED BY MICHAEL SCHATZOW
COMM 083115 S8T STATE'S SUPPLEMENTAL DISCLOSURE FILED BY JANICE BLEDSOE
COMM 090215 1DM CSET ARR; P08; 07/02/15; 1DM
COMM 090215 1DM CSET JT ; P31; 10/13/15; 1DM
TRAK 090215 1DM ASSIGNED TO TRACK C - 120 DAYS ON 09/02/2015
COMM 090215 1T2 CONSENT WAIVER OF PRESENCE OF DEFT'S "GRANTED" (JUDGE
COMM 090215 1T2 WILLIAMS)
COMM 090215 1T2 JOINT MOTION TO DISMISS ON JUDICIAL STATEMENTS HEARD AND
COMM 090215 1T2 "DENIED" (JUDGE WILLIAMS)
COMM 090215 1T2 JOINT MOTION FOR SANCTIONS HEARD AND "DENIED" (JUDGE
COMM 090215 1T2 WILLIAMS)
COMM 090215 1T2 DEFT'S REQUEST FOR EVIDENTIARY HEARING HEARD AND
COMM 090215 1T2 "DENIED" (JUDGE WILLIAMS)
COMM 090215 1T2 JOINT MOTION TO RECUSE BALTIMORE CITY ASA AND OFFICE
COMM 090215 1T2 HEARD AND "DENIED" (JUDGE WILLIAMS)
COMM 090215 1T2 STATE'S MOTION FOR JOINT TRIAL OF DEFT (GOODSON)
COMM 090215 1T2 HEARD AND "DENIED" (JUDGE WILLIAMS)
HCAL 090215 SCY P31;0930;528 ;PMOT; ;OTHR; ;WILLIAMS, BARRY;8C9
COMM 090215 S8M STATE'S MOTION FOR JOINT TRIAL OF DEFENDANTS CD'S SEALED

NEXT PAGE

P/N

PAGE 020

11:30:31 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:29
CASE 115141032 ST A GOODSON, CAESAR R OFC A32384 COD N DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 090815 lgj DEFENDANT'S SUPPLEMENTAL MEMORANDUM TO DEFENDANT'S MOTION
COMM 090815 lgj FOR REMOVAL
COMM 090915 SBT STATE'S SUPPLEMENTAL DISCLOSURE FILED BY JANICE BLEDSOE
COMM 091015 CPR FILED ASA - MOSBY, MARILYN J , ESQ 589290
HCAL 091015 1 CPR P31;0930;528 ;HEAR;HR;DENI; ;WILLIAMS, BARRY;8C9
COMM 091015 CPR CSET HEAR; P31; 09/10/15; CPR
COMM 091015 CPR DEFENSE MOTION TO TRANSFER VENUE IS HEREBY HEARD & "DENIED"
HCAL 091015 SCB P31;0930;528 ;HEAR; ;OTHR; ;WILLIAMS, BARRY;8C9
COMM 091015 SCB CSET HEAR; P31; 09/10/15; SCB
COMM 091015 SCB DEF'S MOTION FOR SUBPEONA TO TANGIBLE RECORDS OF POLICE DEPT
COMM 091015 SCB TRAINING RECORDS AT THE ACADEMY HEARD AND IS HEREBY DENIED
COMM 091015 SCB WITH LEAVE TO REFILE; DEF'S MOTION FOR SUBPEONA TO
COMM 091015 SCB TANGIBLE RECORDS OF CHIEF MEDICAL EXAMINERS OFFICE
COMM 091015 SCB WITHDRAWN; DEF'S MOTION FOR SUBPEONA TO TANGIBLE RECORDS
COMM 091015 SCB OF CENTRAL BOOKING FOR FREDDIE GRAY WITHDRAWN; DEF'S MOTION
COMM 091015 SCB FOR SUBPEONA TO TANGIBLE RECORDS FOR JANUARY 1, 2012 TO
COMM 091015 SCB APRIL 2012 OF POLICE ACADEMY TRAINING ON LEGAL ISSUES HEARD
COMM 091015 SCB AND DENIED; DEF'S MOTION FOR SUBPEONA TO TANGIBLE RECORDS
COMM 091015 SCB OF STATE'S ATTY'S OFFICE INVESTIGATION RECORDS FOR

NEXT PAGE

P/N

PAGE 021

11:30:32 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE
CASE 115141032 ST A GOODSON, CAESAR R OFC A32384 COD N DCM C 090215 CASE INQUIRY 11:29
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 091015 SCB APRIL 12, 2015 THRU MAY 1, 2015 HEARD AND DENIED
COMM 091115 SCB STATE'S SUPPLEMENTAL DISCLOSURE FLD
COMM 091615 SCB STATE'S NOTICE OF INTENT TO USE DNA FLD
COMM 091615 SCB STATE'S SUPPLEMENTAL DISCLOSURE FLD
COMM 091815 lgj DEFENDANTS' JOINT MOTION FOR RECORDATION OF
COMM 091815 lgj SEPTEMBER 24, 2015 SCHEDULING CONFERENCE
COMM 091815 lgj STATE'S SUPPLEMENTAL DISCLOSURE OF EXPERT WITNESS
MCOM 092115 CNN MOTION TO COMPEL DISCOVERY ;TICKLE DATE= 20150929
COMM 092115 CNN MOTION TO PRODUCE RECORDS REGARDING DNA ANALYSIS
COMM 092215 CKW STATE'S SUPPLEMENTAL DISCLOSURE FLD
COMM 092315 SCY DATE STAMPED & ORDERED 9/22/15, THAT THE DEFT'S REQUEST FOR
COMM 092315 SCY SEPTEMBER 24, 2015 SCHEDULING CONFERENCE TO TAKE PLACE ON
COMM 092315 SCY THE RECORD, IS DENIED. WILLIAMS, J (CC: MATTHEW FRALING,
COMM 092315 SCY ATTORNEY FOR DEFT, JANICE BLEDSOE, DEPUTY STATE'S ATTORNEY,
COMM 092315 SCY OFFICE OF THE STATE'S ATTORNEY FOR BALTIMORE CITY)
MCOM 092315 CPR MOTION TO COMPEL DISCOVERY ;TICKLE DATE= 20151001
COMM 092315 CPR STATE'S MOTION TO COMPEL DISCOVERY
COMM 092315 CPR STATE'S SUPPLEMENTAL DISCLOSURE
COMM 092315 CNN STATE'S RESPONSE TO DEFENDANT'S MOTION TO PRODUCE RECORDS

NEXT PAGE

P/N

PAGE 022

11:30:32 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE
CASE 115141032 ST A GOODSON, CAESAR R OFC A32384 CASE INQUIRY 11:29
COD N DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 092315 CNN REGARDING DNA ANALYSIS , ESQ 24075
FILE 092415 CPR FILED ADF - ASKEW, AMY E
COMM 092815 1T2 CSET HEAR; P31; 09/29/15; 1T2 (ADD-ON/PER LAW CLK/JUDGE
COMM 092815 1T2 WILLIAMS CALLING PT. 46 DKT IN RM. 234 EAST)
COMM 092815 SCY DATE STAMPED 9/28/15, & ORDERED 9/25/15, THAT ALL PROVISIONS
COMM 092815 SCY OF THE SECURITY/MEDIA PROTOCOL ORDER DATED AUGUST 26, 2015
COMM 092815 SCY SHALL APPLY TO THIS HEARING. IN ADDITION, FOR THIS HEARING,
COMM 092815 SCY MEMBERS OF THE MEDIA SHOULD ARRIVE AT THE COURTHOUSE AT 1:00
COMM 092815 SCY P.M. PIERSON, J
COMM 092915 CYH CSET JT. ; P31; 01/06/16; CYH
HCAL 092915 SCB P31;0200;528 ;HEAR; ;POST;CAN;WILLIAMS, BARRY;8C9
COMM 092915 SCB POSTPONED TIL 1/6/2016 PART 31 AT 9:30AM; DEF SERVED
COMM 092915 S8T DEFENDANT'S MOTION FOR RECONSIDERATION OF THE DENIAL OF
COMM 092915 S8T MOTION FOR REMOVAL & REQUEST FOR HEARING FILED
COMM 092915 S8T SUPPLEMENT TO DEFENDANT'S JOINT MOTION TO COMPEL AND FOR
COMM 092915 S8T SANCTIONS FILED
HWNO 092915 S8T POSTPONEMENT FORM FILED; HICKS (MD RULE 4-271) NOT WAIVED
COMM 093015 SCY DATE STAMPED & ORDERED 9/30/15, DEFT'S REQUEST FOR THE
COMM 093015 SCY SUPPRESSION OF THE SEARCH AND SEIZURE OF DEFT'S DEPARTMENTAL

NEXT PAGE

P/N

PAGE 023

11:30:33 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:29
CASE 115141032 ST A GOODSON, CAESAR R OFC A32384 COD N DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 093015 SCY CELL PHONES AND FOR A FRANKS HEARING IS DENIED. WILLIAMS, J
COMM 093015 SCY (CC: MATTHEW FRALING, III., ATTORNEY FOR CAESAR GOODSON,
COMM 093015 SCY JANICE BLEDSOE, DEPUTY STATE'S ATTORNEY, OFFICE OF STATE'S
COMM 093015 SCY ATTORNEY FOR BALTO. CITY)
COMM 093015 CNN STATE'S SUPPLEMENTAL DISCLOSURE
COMM 100215 SCY DATE STAMPED & ORDERED 10/2/15, THAT DEFT'S REQUEST FOR
COMM 100215 SCY RECONSIDERATION OF THE DENIAL OF MOTION FOR REMOVAL AND
COMM 100215 SCY DEFT'S REQUEST FOR A HEARING IS DENIED. WILLIAMS, J
COMM 100215 SCY (CC: MATTHEW FRALING, III., ATTORNEY FOR CAESAR GOODSON,
COMM 100215 SCY JANICE BLEDSOE, DEPUTY STATE'S ATTORNEY, OFFICE OF THE
COMM 100215 SCY STATE'S ATTORNEY FOR BALTO. CITY)
COMM 100515 SCY DATE STAMPED 10/5/15, & ORDERED 10/2/15, UPON CONSULTATION
COMM 100515 SCY WITH THE PARTIES TO THE ABOVE-CAPTIONED CASE THROUGH COUNSEL
COMM 100515 SCY ORDERED THAT A MOTIONS HEARING IS SCHEDULED FOR OCTOBER 13,
COMM 100515 SCY 2015 AT 9:30 A.M., AND FURTHER ORDERED THAT A MOTION HEARING
COMM 100515 SCY IS SCHEDULED FOR OCTOBER 14, 2015 AT 9:30 A.M. WILLIAMS, J
COMM 100515 SCY (CC: MATTHEW FRALING, ATTORNEY FOR CAESAR GOODSON, JANICE
COMM 100515 SCY BLEDSOE, DEPUTY STATE'S ATTORNEY, OFFICE OF THE STATE'S
COMM 100515 SCY ATTORNEY FOR BALTO. CITY)

NEXT PAGE

P/N

PAGE 024

11:30:33 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:29
CASE 115141032 ST A GOODSON, CAESAR R OFC A32384 COD N DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 100515 SCY DATE STAMPED 10/5/15, & ORDERED 10/2/15, UPON CONSIDERATION
COMM 100515 SCY OF THE MOTION AND RESPONSE IN THIS INSTANCE, & HAVING FOUND
COMM 100515 SCY THE STATE'S RESPONSE IN PARAGRAPHS C, D, E, I, AND P IS
COMM 100515 SCY INSUFFICIENT, IT IS ORDERED THAT THE STATE DISCLOSE THE
COMM 100515 SCY DOCUMENTS REQUESTED BY THE DEFENDANT IN PARAGRAPHS C, D, E,
COMM 100515 SCY I, AND P. (SEE ORDER FOR DETAILS) WILLIAMS, J
COMM 100515 SCY (CC: MATTHEW FRALING, ATTORNEY FOR CAESAR GOODSON, JANICE
COMM 100515 SCY BLEDSOE, DEPUTY STATE'S ATTORNEY, OFFICE OF THE STATE'S
COMM 100515 SCY ATTORNEY FOR BALTO. CITY)
COMM 100515 SCB STATE'S SUPPLEMENTAL DISCLOSURE FLD
COMM 100815 VGI CSET PMOT; P31; 10/14/15; VGI (FR ADD ON PER LW CK GI)
COMM 100815 VGI CSET PMOT; P31; 10/13/15; VGI (FR ADD ON PER LW CK GI)
COMM 100815 SCY DATE STAMPED & ORDERED 10/8/15, HEARING UPON PRE-TRIAL
COMM 100815 SCY MOTIONS IN THESE CASES IS SCHEDULED TO OCCUR ON OCTOBER 13,
COMM 100815 SCY AND OCTOBER 14, 2015 AT 9:30 A.M. IT IS ORDERED, THAT ALL
COMM 100815 SCY PROVISIONS OF THE SECURITY/MEDIA PROTOCOL ORDER DATED AUGUST
COMM 100815 SCY 26, 2015 SHALL APPLY TO THIS HEARING. PIERSON, J
COMM 100815 S8T STATE'S SUPPLEMENTAL DISCLOSURE FILED BY JANICE BLEDSOE
COMM 100915 CNN STATE'S RESPONSE TO DEFENDANT'S SUPPLEMENT TO DEFENDANTS'

NEXT PAGE

P/N

PAGE 025

11:30:34 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE
CASE 115141032 ST A GOODSON, CAESAR R OFC A32384 CASE INQUIRY 11:29
COD N DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 100915 CNN JOINT MOTION TO COMPEL AND FOR SANCTIONS
HCAL 101315 CYH P31;0900;528 ;JT ; ;POST;PWU;WILLIAMS, BARRY;8C9
COMM 101415 lgj DATE STAMPED AND ORDERED ON 10/14/15 THAT IN CONSIDERATION
COMM 101415 lgj OF DEFENDANT'S 07/30/15 JOINT MOTION TO COMPEL AND FOR
COMM 101415 lgj SANCTIONS, THE COURT HAVING FOUND THAT THE STATE HAS FAILED
COMM 101415 lgj TO PRODUCE INFORMATION THIS COURT DEEMS EXCULPATORY, IT IS
COMM 101415 lgj THIS 14TH DAY OF OCTOBER 2015 HEREBY ORDERED THAT DEF'S
COMM 101415 lgj MOTIONS IS GRANTED IN PART AND HEREBY ORDERED THAT THE STATE
COMM 101415 lgj ON OR BEFORE 10/28/15 PROVIDE COUNSEL FOR DEFENDANT'S WITH
COMM 101415 lgj COPIES OF ANY AND ALL DOCUMENTS PERTAINING TO THE
COMM 101415 lgj INVESTIGATION AND PROSECUTION OF DEFENDANTS; ALL OTHER
COMM 101415 lgj REQUEST BY THE STATE AND THE DEFENDANTS FOR SANCTIONS ARE
COMM 101415 lgj HEREBY DENIED PER JUDGE BARRY G.WILLIAMS (SEE ORDER) CC:
COMM 101415 lgj ADF MATTHEW FRALING III AND ASA JANICE BLEDSOE
COMM 101515 SCY DATE STAMPED & ORDERED 10/14/15, ON MAY 14, 2015, THIS COURT
COMM 101515 SCY RECEIVED THE STATE'S MOTION FOR ISSUANCE OF ORDER BARRING
COMM 101515 SCY EXTRAJUDICIAL STATEMENTS. ON SEPTEMBER 29, 2015, THIS COURT
COMM 101515 SCY RECEIVED THE DEFT'S MOTION FOR RECONSIDERATION OF THE DENIAL
COMM 101515 SCY OF MOTION FOR REMOVAL & REQUEST FOR HEARING. THE DEFT'S

NEXT PAGE

P/N

PAGE 026

11:30:34 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE
CASE 115141032 ST A GOODSON, CAESAR R OFC

CASE INQUIRY 11:29
A32384 COD N DCM C 090215

EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 101515 SCY MOTION NOTED HIS CONCERN FOR THE ACCUMULATION OF PRETRIAL
COMM 101515 SCY PUBLICITY, INCLUDING THE DISCLOSURE OF EVIDENCE NOT IN THE
COMM 101515 SCY PUBLIC RECORD, & THE EFFECT OF SUCH ON THE VIOLATION OF THE PROCESS
COMM 101515 SCY & HIS RIGHT TO A FAIR TRIAL. ACCORDINGLY, IT IS HEREBY
COMM 101515 SCY ORDERED THAT: 1.) THIS ORDER IS BINDING ON THE DEFT, ALL
COMM 101515 SCY ATTORNEYS FOR THE DEFT & THE STATE, & ON ALL EMPLOYEES,
COMM 101515 SCY REPRESENTATIVES, OR AGENTS OF SUCH ATTORNEYS. IT SHALL
COMM 101515 SCY REMAIN IN FORCE UNTIL THE CONCLUSION OF THIS CASE OR UNTIL
COMM 101515 SCY FURTHER ORDER OF THIS COURT. 2.) NO PERSON COVERED BY THIS
COMM 101515 SCY ORDER SHALL MAKE OR ISSUE ANY EXTRAJUDICIAL STATEMENT,
COMM 101515 SCY WRITTEN OR ORAL, CONCERNING THIS CASE FOR DISSEMINATION BY
COMM 101515 SCY MEANS OF PUBLIC COMMUNICATION. 3.) COUNSEL ARE REMINDED OF
COMM 101515 SCY THEIR ETHICAL DUTIES & OBLIGATIONS AS SET FORTH IN THE
COMM 101515 SCY MD RULES OF PROFESSIONAL CONDUCT, RULE 3.6, TRIAL PUBLICITY.
COMM 101515 SCY 4.) NO PERSON COVERED BY THIS ORDER SHALL AVOID OR
COMM 101515 SCY CIRCUMVENT ITS EFFECT BY ACTIONS THAT INDIRECTLY, BUT
COMM 101515 SCY DELIBERATELY, BRING ABOUT A VIOLATION OF THIS ORDER. 5.)
COMM 101515 SCY IF ANY PERSON BELIEVES THAT EVENTS HAVE OCCURRED THAT SHOULD
COMM 101515 SCY RESULT IN A MODIFICATION OF THIS ORDER, SUCH PERSON MAY SEEK

NEXT PAGE

P/N

PAGE 027

11:30:35 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:29
CASE 115141032 ST A GOODSON, CAESAR R OFC A32384 COD N DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 101515 SCY RELIEF FROM THE COURT. 6.) THE PROHIBITION ON MAKING EXTRA
COMM 101515 SCY JUDICIAL STATEMENTS APPLIES TO THE REPOSTING OR REPUBLICA-
COMM 101515 SCY TION OF ANY STATEMENTS MADE PRIOR TO THE ENTRY OF THIS ORDER
COMM 101515 SCY THAT WOULD NOW CONSTITUTE A VIOLATION OF THIS ORDER. & 7.)
COMM 101515 SCY NOTHING IN THIS ORDER SHALL BE CONSTRUED TO LIMIT ANY RIGHTS
COMM 101515 SCY OF THE MEDIA OR THE PUBLIC PURSUANT TO THE FIRST AMENDMENT
COMM 101515 SCY OR TO LIMIT PUBLIC ACCESS TO COURT PROCEEDINGS AS ALLOWED
COMM 101515 SCY BY STATUTE, RULE OR COURT ORDER. WILLIAMS, J (CC: MATTHEW
COMM 101515 SCY FRALING, ATTORNEY FOR CAESAR GOODSOM, JANICE BLEDSOE, DEPUTY
COMM 101515 SCY STATE'S ATTORNEY, OFFICE OF THE STATE'S ATTORNEY FOR BALTO.
COMM 101515 SCY CITY) (SEE ORDER FOR GOOD CAUSE SHOWN)
COMM 102115 CKW STATE'S SUPPLEMENTAL DISCLOSURE FLD
COMM 120715 CKW DEFS DISCOVERY DISCLOSURES FLD (TIME STAMP 3:51PM 12/7/15)
COMM 121415 SCY ATTY FOR BALTO. CITY)
COMM 121515 SCY STATE'S MOTION IN LIMINE TO ALLOW JURORS TO VIEW AND EXAMINE
COMM 121515 SCY THE POLICE WAGON THAT TRANSPORTED THE VICTIM FLD
COMM 121515 SCY STATE'S MOTION IN LIMINE TO PRECLUDE EVIDENCE OF, ARGUMENT
COMM 121515 SCY ABOUT, OR REFERENCE TO CERTAIN INFORMATION REGARDING THE
COMM 121515 SCY VICTIM FLD

NEXT PAGE

P/N

PAGE 028

11:30:35 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE
CASE 115141032 ST A GOODSON, CAESAR R OFC

CASE INQUIRY 11:29
A32384 COD N DCM C 090215

EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 121515 SCY STATE'S MOTION IN LIMINE TO PRECLUDE THE DEFENDANT FROM
COMM 121515 SCY ATTEMPTING TO CALL PROSECUTORS IN THIS CASE AS TRIAL
COMM 121515 SCY WITNESSES AND FROM ATTEMPTING TO CONTROVERT CERTAIN
COMM 121515 SCY ASPECTS OF OR TO RAISE BASELESS ACCUSATIONS ABOUT THE
COMM 121515 SCY STATE'S ATTORNEY'S PRE-INDICTMENT ACTIONS IN THIS CASE FLD
COMM 121515 SCY MOTION TO SEAL DEFT'S SECOND MOTION FOR RECONSIDERATIONS OF
COMM 121515 SCY OF MOTION FOR REMOVAL AND REQUEST FOR HEARING FLD
COMM 121515 SCY DEFT'S SECOND MOTION FOR RECONSIDERATION OF THE DENIAL OF
COMM 121515 SCY THE DENIAL OF MOTION FOR REMOVAL FLD
COMM 121515 SCY DEFT'S MOTION IN LIMINE REGARDING JUROR ISSUES FLD
COMM 121515 SCY MOTION TO SEAL DEFT'S MOTION IN LIMINE REGARDING JUROR
COMM 121515 SCY ISSUES FLD
COMM 121515 SCY WITNESS FLD
COMM 121515 SCY MOTION TO SEAL DEFT'S MOTION FOR SUMMONS OF OUT OF STATE
COMM 121515 SCY MOTION FOR SUMMONS OF OUT OF STATE WITNESS FLD
COMM 121515 SCY DEFT'S MOTION FOR SUBPOENA FOR TANGIBLE EVIDENCE REGARDING
COMM 121515 SCY RECORDS OF INCARCERATION FLD
COMM 121515 SCY MOTION TO SEAL DEFENDANT'S MOTION FOR SUBPOENA FLD
COMM 121515 SCY MOTION TO SEAL DEFT'S MOTION IN LIMINE TO PRECLUDE TESTIMONY

NEXT PAGE

P/N

PAGE 029

11:30:38 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:29
CASE 115141032 ST A GOODSON, CAESAR R OFC A32384 COD N DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 121515 SCY CONCERNING BALTO. POLICE DEPART. GENERAL ORDERS & POLICIES
COMM 121515 SCY RELATED TO THE USE OF SEATBELTS IN POLICE VEHICLES FLD
COMM 121515 SCY MOTION IN LIMINE TO PRECLUDE TESTIMONY AND EVIDENCE
COMM 121515 SCY AND EVIDENCE CONCERNING BALTO. POLICE DEPT. GENERAL ORDERS
COMM 121515 SCY AND POLICIES RELATED TO THE USE OF SEATBELTS IN POLICE
COMM 121515 SCY VEHICLES FLD
COMM 121515 SCY DEFENDANT'S MOTION FOR SUBPOENA FOR TANGIBLE EVIDENCE
COMM 121515 SCY REGARDING MEDICAL RECORDS FLD
COMM 121515 CSJ MOTION TO SEAL DEFENDANT'S MOTION FOR SUBPOENA FLD
COMM 121515 SCY DEFT'S MOTION 12/15/15 FILED UNDER SEAL
COMM 121515 SCY DEFT'S MOTION 12/15/15 FILED UNDER SEAL
COMM 121515 SCY DEFT'S MOTION 12/15/15 FILED UNDER SEAL
COMM 121515 SCY STATE'S MOTION 12/15/15 FILED UNDER SEAL
COMM 121515 SCY STATE'S MOTION 12/15/15 FILED UNDER SEAL
COMM 121515 SCY STATE'S MOTION 12/15/15 FILED UNDER SEAL
COMM 121715 SCY DATE STAMPED & ORDERED 12/17/15, DEF'S MOTION TO SEAL DEF'S
COMM 121715 SCY SECOND MOTION FOR RECONSIDERATION OF THE DENIAL OF MOTION
COMM 121715 SCY FOR REMOVAL IS DENIED. WILLIAMS, J (CC: MATTHEW FRALING,
COMM 121715 SCY ATTY FOR CAESAR GOODSON, JANICE BLEDSOE, DEPUTY STATE'S

NEXT PAGE

P/N

PAGE 030

11:30:39 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE
CASE 115141032 ST A GOODSON, CAESAR R OFC

CASE INQUIRY 11:29
A32384 COD N DCM C 090215

EVENT DATE	OPER	PART TIME ROOM REAS / EVENT COMMENT
COMM 121715	SCY	OFFICE OF THE STATE'S ATTY FOR BALTO. CITY)
COMM 121815	SCY	DATE STAMPED & ORDERED 12/17/15, DEFT'S MOTION TO SEAL
COMM 121815	SCY	DEFT'S MOTION IN LIMINE REGARDING JUROR ISSUES IS DENIED.
COMM 121815	SCY	WILLIAMS, J (CC: MATTHEW FRALING, ATTY FOR CAESAR GOODSON
COMM 121815	SCY	JANICE BLEDSOE, DEPUTY STATE'S ATTY, OFFICE OF THE STATE'S
COMM 121815	SCY	ATTY FOR BALTO. CITY)
COMM 121815	SCY	DATE STAMPED & ORDERED 12/17/15, DEFT'S MOTION TO SEAL
COMM 121815	SCY	DEFT'S MOTION FOR SUMMONS OF OUT OF STATE WITNESS IS DENIED.
COMM 121815	SCY	WILLIAMS, J (CC: MATTHEW FRALING, ATTY FOR CAESAR GOODSON,
COMM 121815	SCY	JANICE BLEDSOE, DEPUTY STATE'S ATTY, OFFICE OF THE STATE'S
COMM 121815	SCY	ATTY FOR BALTO. CITY)
COMM 121815	SCY	DATE STAMPED & ORDERED 12/17/15, DEFT'S MOTION TO SEAL
COMM 121815	SCY	DEFT'S MOTION FOR SUBPOENA IS DENIED. WILLIAMS, J
COMM 121815	SCY	(CC: MATTHEW FRALING, ATTY FOR CAESAR GOODSON, JANICE
COMM 121815	SCY	BLEDSOE, DEPUTY STATE'S ATTY, OFFICE OF THE STATE'S ATTY
COMM 121815	SCY	FOR BALTO. CITY)
COMM 121815	SCY	DATE STAMPED & ORDERED 12/17/15, DEFT'S MOTION TO SEAL
COMM 121815	SCY	DEFT'S MOTION IN LIMINE TO PRECLUDE TESTIMONY AND EVIDENCE
COMM 121815	SCY	CONCERNING BALTIMORE POLICE DEPARTMENT GENERAL ORDERS

NEXT PAGE

P/N

PAGE 031

11:30:40 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:29
CASE 115141032 ST A GOODSON, CAESAR R OFC A32384 COD N DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 121815 SCY AND POLICIES RELATED TO THE USE OF SEATBELTS IN POLICE
COMM 121815 SCY VEHICLES IS DENIED. WILLIAMS, J (CC: MATTHEW FRALING,
COMM 121815 SCY ATTY FOR CAESAR GOODSON, JANICE BLEDSOE DEPUTY STATE'S
COMM 121815 SCY ATTY, OFFICE OF THE STATES'S ATTY FOR BALTO. CITY)
COMM 121815 SCY DATE STAMPED & ORDERED 12/17/15, DEFT'S MOTION TO SEAL THE
COMM 121815 SCY DEFT'S MOTION FOR SUBPOENA IS DENIED. WILLIAMS, J
COMM 121815 SCY (CC: MATTHEW FRALING, ATTY FOR CAESAR GOODSON, JANICE
COMM 121815 SCY BLEDSOE, DEPUTY STATE'S ATTY, OFFICE OF THE STATE'S ATTY
COMM 121815 SCY FOR BALTO. CITY)
COMM 122115 SCY STATE'S PETITION TO SECURE THE ATTENDANCE OF PRISONER
COMM 122115 SCY WITNESS FROM THE COMMONWEALTH OF PENNSYLVANIA TO TESTIFY
COMM 122115 SCY IN THE STATE OF MD. PURSUANT TO MD. COURTS AND JUDICIAL
COMM 122115 SCY PROCEEDINGS 9-303 TO COMPLY WITH PENNSYLVANIA STAATUTES
COMM 122115 SCY ANN, 42 PA.C.S.5971-79 FLD
COMM 122115 SCY CERTIFICATE OF JUDGE UNDER THE SEAL OF THE COURT DETERMINING
COMM 122115 SCY THE NAMED WITNESS AS A MATERIAL WITNESS FLD
COMM 122215 SCY DATE STAMPED & ORDERED 12/18/15, THAT THE DEFT'S REQUEST
COMM 122215 SCY FOR A SUBPOENA FOR TANGIBLE EVIDENCE IS GRANTED IN PART;
COMM 122215 SCY AND FURTHER ORDERED, PURSUANT TO MD. RULE 4-264, THAT THE

NEXT PAGE

P/N

PAGE 032

11:30:40 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:29
CASE 115141032 ST A GOODSON, CAESAR R OFC A32384 COD N DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 122215 SCY CLERK OF THE COURT IS DIRECTED TO ISSUE THE THREE (3).
COMM 122215 SCY ATTACHED SUBPOENAS. WILLIAMS, J (CC: MATTHEW FRALING,
COMM 122215 SCY ATTY FOR CAESAR GOODSON, JANICE BLEDSOE, DEPUTY STATE'S
COMM 122215 SCY ATTY, OFFICE OF THE STATE'S ATTY FOR BALTO. CITY)
COMM 122215 SCY (ORDER/SUBPOENA GIVEN TO SUMMONS DEPT FOR PROCESSING)
COMM 122215 SCY DATE STAMPED & ORDERED 12/18/15, THAT THE DEFT'S REQUEST FOR
COMM 122215 SCY SUBPOENA FOR TANGIBLE EVIDENCE IS GRANTED IN PART; & FURTHER
COMM 122215 SCY ORDERED, PURSUANT TO MD. RULE 4-264, THAT THE CLERK OF THE
COMM 122215 SCY COURT IS DIRECTED TO ISSUE THE ATTACHED SUBPOENA. WILLIAMS, J
COMM 122215 SCY (CC: MATTHEW FRALING, ATTY FOR CAESAR GOODSON, JANICE
COMM 122215 SCY BLEDSOE, DEPUTY STATES' ATTY, OFFICE OF THE STATE'S ATTY,
COMM 122215 SCY FOR BALTO. CITY)
COMM 122215 SCY (ORDER/SUBPOENA GIVEN TO SUMMONS DEPT FOR PROCESSING)
COMM 122315 CNN STATE'S PETITION TO SECURE THE ATTENDANCE OF PRISONER
COMM 122315 CNN WITNESS FROM THE COMMONWEALTH OF PENNSYLVANIA TO
COMM 122315 CNN TESTIFY IN THE STATE OF MARYLAND PURSUANT TO MARYLAND
COMM 122315 SCY COURT AND JUDICIAL PROCEEDINGS 9-303 TO COMPLY WITH
COMM 122315 SCY PENNSYLVANIA STATUES ANN. 42 PA.C.S.5971-79 FLD
COMM 122315 SCY DATE STAMPED & ORDERED 12/21/15, IT IS HEREBY ORDERED THAT

NEXT PAGE

F/N

PAGE 033

11:30:41 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE
CASE 115141032 ST A GOODSON, CAESAR R OFC

CASE INQUIRY 11:29
A32384 COD N DCM C 090215

EVENT DATE	OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 122315	SCY THE CERTIFICATE ATTESTING TO THE MATERIALITY OF SAID WITNESS
COMM 122315	SCY WHO IS NEEDED FOR TRIAL WEDNESDAY, JANUARY 6, 2016 THROUGH
COMM 122315	SCY FRIDAY, JANUARY 22, 2016, SHALL ISSUE AND IT IS THEREFORE
COMM 122315	SCY ORDERED THAT THE CERTIFICATE MAY BE PRESENTED TO THE YORK
COMM 122315	SCY PENNSYLVANIA OFFICE OF THE DISTRICT ATTORNEY, WHO SHALL FIX
COMM 122315	SCY A TIME AND PLACE FOR A HEARING TO DETERMINE WHETHER THE SAID
COMM 122315	SCY WITNESS, YORK COUNTY PRISON, IS, IN FACT A MATERIAL WITNESS
COMM 122315	SCY IN THE ABOVE-CAPTIONED CASE, PURSUANT TO THE PROVISIONS OF
COMM 122315	SCY STATUTES ANN. 42 PA.C.S.5971-70. WILLIAMS, J
COMM 122315	SCY DEFT'S MOTION FOR REVISED SUBPOENAS FOR TANGIBLE EVIDENCE
COMM 122315	SCY REGARDIG RECORDS OF INCARCERATION FLD
COMM 122315	SCY MOTION TO SEAL DEFT'S MOTION FOR REVISED SUBPOENAS FLD
COMM 122415	SCY DATE STAMPED & ORDERED 12/17/15, ORDER FILED UNDER SEAL
COMM 122415	SCY WILLIAMS, J (CC: MATTHEW FRALING, ATTY FOR CAESAR GOODSON
COMM 122415	SCY JANICE BLEDSOE, DEPUTY STATE'S ATTY, OFFICE OF THE STATE'S
COMM 122415	SCY DATE STAMPED & ORDERED 12/18/15, ORDER FILED UNDER SEAL
COMM 122415	SCY WILLIAMS, J (CC: MATTHEW FRALING, ATTY FOR CAESAR GOODSON
COMM 122415	SCY JANICE BLEDSOE, DEPUTY STATE'S ATTY, OFFICE OF THE STATE'S
COMM 122415	SCY DATE STAMPED & ORDERED 12/17/15, ORDER FILED UNDER SEAL

NEXT PAGE

P/N

PAGE 034

11:30:42 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE
CASE 115141032 ST A GOODSON, CAESAR R OFC

CASE INQUIRY 11:29
A32384 COD N DCM C 090215

EVENT DATE	OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 122415	SCY WILLIAMS, J (CC: MATTHEW FRALING, ATTY FOR CAESAR GOODSON
COMM 122415	SCY JANICE BLEDSOE, DEPUTY STATE'S ATTY, OFFICE OF THE STATE'S
COMM 122415	SCY DATE STAMPED & ORDERED 12/17/15, ORDER FILED UNDER SEAL
COMM 122415	SCY WILLIAMS, J (CC: MATTHEW FRALING, ATTY FOR CAESAR GOODSON
COMM 122415	SCY JANICE BLEDSOE, DEPUTY STATE'S ATTY, OFFICE OF THE STATE'S
COMM 122415	SCY DATE STAMPED & ORDERED 12/17/15, ORDER FILED UNDER SEAL
COMM 122415	SCY WILLIAMS, J (CC: MATTHEW FRALING, ATTY FOR CAESAR GOODSON
COMM 122415	SCY JANICE BLEDSOE, DEPUTY STATE'S ATTY, OFFICE OF THE STATE'S
COMM 122815	SCY DATE STAMPED 12/28/15, & ORDERED 12/24/15, (SECURITY/MEDIA
COMM 122815	SCY PROTOCOL ORDER (TRIAL PROCEEDINGS). THIS ORDER APPLIES
COMM 122815	SCY TO ALL TRIAL PROCEEDINGS OTHER THAN SELECTION OF A JURY,
COMM 122815	SCY INCLUDING MOTIONS HEARINGS. THIS ORDER IS SUBJECT TO
COMM 122815	SCY MODIFICATION BY THE COURT AT ANY TIME. PIERSON, J (SEE ORDER
COMM 122815	SCY FOR ADDITIONAL INSTRUCTIONS) (CC: MATTHEW FRALING ATTY FOR
COMM 122815	SCY CAESAR GOODSON, JANICE BLEDSOE, DEPUTY STATE'S ATTY, OFFICE
COMM 122815	SCY OF THE STATE'S ATTY FOR BALTO. CITY)
COMM 122815	SCY DATE STAMPED 12/28/15, & ORDERED 12/24/15, (SECURITY/MEDIA
COMM 122815	SCY PROTOCOL ORDER (JURY SELECTION) THIS ORDER APPLIES TO THE
COMM 122815	SCY PROCEEDINGS RELATING TO SELECTION OF A JURY. A SEPERATE

NEXT PAGE

P/N

PAGE 035

11:30:42 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:29
CASE 115141032 ST A GOODSON, CAESAR R OFC A32384 COD N DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 122815 SCY ORDER WILL GOVERN ALL TRIAL PROCEEDINGS OTHER THAN SELECTION
COMM 122815 SCY OF THE JURY. THIS ORDER IS SUBJECT TO MODIFICATION BY THE
COMM 122815 SCY COURT AT ANY TIME. PIERSON, J (SEE ORDER FOR ADDITIONAL
COMM 122815 SCY INSTRUCTION) (CC: MATTHEW FRALING ATTY FOR CAESAR GOODSON,
COMM 122815 SCY JANICE BLEDSOE, DEPUTY STATE'S ATTY, FOR BALTO. CITY)
COMM 122915 SCY DATE STAMPED & ORDERED 12/29/15, THAT THE DEFT'S MOTION
COMM 122915 SCY TO SEAL DEFT'S MOTION FOR REVISED SUBPOENAS IS DENIED.
COMM 122915 SCY WILLIAMS, J (CC: ANDREW GRAHAM, ATTY FOR CAESAR GOODSON
COMM 122915 SCY JANICE BLEDSOE, DEPUTY STATE'S ATTY, OFFICE OF THE STATE'S
COMM 122915 SCY FOR BALTO. CITY)
COMM 122915 SCY DATE STAMPED & ORDERED 12/29/15, THAT THE DEFT'S REQUEST
COMM 122915 SCY FOR A SUBPOENA FOR TANGIBLE EVIDENCE IS GRANTED IN PART;
COMM 122915 SCY AND FURTHER ORDERED, PURSUANT TO MD. RULE 4-264, THAT THE
COMM 122915 SCY CLERK OF THE COURT IS DIRECTED TO ISSUE THE ATTACHED
COMM 122915 SCY SUBPOENAS. WILLIAMS, J (CC: ANDREW GRAHAM, ATTY FOR CAESAR
COMM 122915 SCY GOODSON, JANICE BLEDSOE, DEPUTY STATE'S ATTY OFFICE OF THE
COMM 122915 SCY STATE'S ATTY FOR BALTO. CITY)
COMM 122915 SCY STATE'S MOTION TO QUASH SUBPOENAS FLD
COMM 122915 SCY MOTION TO SEAL DEFT'S MOTION TO STRIKE STATE'S EXPERT

NEXT PAGE

P/N

PAGE 036

11:30:43 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:29
CASE 115141032 ST A GOODSON, CAESAR R OFC A32384 COD N DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 122915 SCY STANFORD O'NEILL FRANKLIN FLD
COMM 122915 SCY DEFT'S MOTION TO STRIKE THE STATE'S EXPERT STANFORD O'NEILL
COMM 122915 SCY FRANKLIN AND REQUEST FOR HEARING FLD
COMM 122915 SCY DEFT'S MOTION 12/29/15 FILED UNDER SEAL
COMM 122915 SCY DEFT'S MOTION 12/29/15 FILED UNDER SEAL
COMM 122915 CNN DEFENDANT'S MOTION TO UNSEAL BENCH CONFERENCE
COMM 123015 S8T DEFENSE RESPONSE TO STATE'S MOTION TO QUASH SUBPOENAS,
COMM 123015 S8T DEFENSE RESPONSE TO STATE'S MOTION IN LIMINE TO PRECLUDE
COMM 123015 S8T EVIDENCE OF, OR ARGUMENT ABOUT, OR REFERENCE TO CERTAIN
COMM 123015 S8T INFORMATION REGARDING THE VICTIM
COMM 123015 SCY DEFT'S RESPONSE TO STATE'S MOTION IN LIMINE TO PRECLUDE
COMM 123015 SCY DEFT FROM ATTEMPTING TO CALL PROSECUTORS IN THIS CASE
COMM 123015 SCY AS TRIAL WITNESSES AND FROM ATTEMPTING TO CONTROVERT
COMM 123015 SCY CERTAIN ASPECTS OF OR TO RAISE BASELESS ACCUSATIONS
COMM 123015 SCY ABOUT THE STATE'S ATTORNEY'S PRE-INDICTMENT ACTIONS
COMM 123015 SCY IN THIS CASE FLD
COMM 123015 SCY STATE'S RESPONSE TO DEFT'S MOTION IN LIMINE TO PRECLUDE
COMM 123015 SCY TESTIMONY AND EVIDENCE CONCERNING BALTIMORE POLICE DEPART-
COMM 123015 SCY MENT GENERAL ORDERS AND POLICIES RELATED TO THE USE OF

NEXT PAGE

P/N

PAGE 037

11:30:43 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:29
CASE 115141032 ST A GOODSON, CAESAR R OFC A32384 COD N DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 123015 SCY SEATBELTS IN POLICE VEHICLES FLD
COMM 123015 SCY STATE'S RESPONSE TO DEFT'S MOTION IN LIMINE REGARDING
COMM 123015 SCY JUROR ISSUES FLD
COMM 123015 SCY STATE'S MOTION TO SEAL; 12/30/15, FILED UNDER SEAL
COMM 123015 SCY STATE'S RESPONSE TO DEFT'S MOTION 12/30/15 FILED UNDER SEAL
COMM 123015 SCY STATES' RESPONSE TO DEFT'S MOTION 12/30/15 FILED UNDER SEAL
COMM 123015 SCY DEFT'S RESPONSE TO STATE'S MOTION 12/30/15 FILED UNDER SEAL
COMM 123015 SCY DEFT'S MOTION TO SEAL DEFT'S RESPONSE 12/30/15 FD UNDER SEAL
COMM 123015 SCY MOTION TO SEAL DEFT'S RESPONSE TO STATE'S MOTION 12/30/15
COMM 123015 SCY FILED UNDER SEAL
COMM 123015 SCY DEFT'S RESPONSE TO STATE'S MOTION 12/30/15 FLD UNDER SEAL
COMM 123115 SCY NOTICE OF APPEARANCE OF JUSTIN A. REDD AS ADDITIONAL
COMM 123115 SCY COUNSEL FOR DEFT CAESAR GOODSON FLD
FILE 123115 SCY FILED ADF - REDD, JUSTIN A , ESQ 682551
COMM 010416 lgj MOTION TO QUASH TRIAL SUBPOENA OF OFFICER WILLIAM PORTER
COMM 010416 SCY DATE STAMPED & ORDERED 1/4/16, DEFT'S MOTION TO SEAL DEFT'S
COMM 010416 SCY MOTION TO STRIKE THE STATE'S EXPERT STANFORD O'NEILL
COMM 010416 SCY FRANKLIN IS DENIED. WILLIAMS, J (CC: MATTHEW FRALING, ASA)
COMM 010416 SCY DATE STAMPED & ORDERED 1/4/16, ORDER FILED UNDER SEAL.

NEXT PAGE

P/N

PAGE 038

11:30:44 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:29
CASE 115141032 ST A GOODSON, CAESAR R OFC A32384 COD N DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 010416 SCY WILLIAMS, J (CC: MATTHEW FRALING, ATTY FOR CAESAR GOODSON
COMM 010416 SCY JANICE BLEDSOE, DEPUTY STATE'S ATTY, OFFICE OF THE STATE'S
COMM 010416 SCY ATTY FOR BALTO. CITY)
COMM 010416 CNN STATE'S MOTION IN LIMINE TO PRECLUDE AS IRRELEVANT CERTAIN
COMM 010416 CNN EVIDENCE CONTAINED IN THE DEFENDANT'S DECEMBER 24, 2015,
COMM 010416 CNN SUPPLEMENTAL DISCLOSURE ABOUT AN UNRELATED ARREST THAT
COMM 010416 CNN OCCURRED ON MAY 3, 2015 FILED
COMM 010416 CNN STATE'S RESPONSE TO DEFENDANT'S MOTION TO STRIKE THE
COMM 010416 CNN STATE'S EXPERT STANFORD O'NEIL FRANKLIN AND REQUEST
COMM 010416 CNN FOR HEARING FILED
COMM 010416 SCY (1) STATE'S RESPONSE 12/29/15 FILED UNDER SEAL
COMM 010416 SCY (2) STATE'S RESPONSE TO DEFT'S MOTION 12/29/15 FILED UNDER
COMM 010416 SCY SEAL
COMM 010416 SCY (3) STATES' MOTION 12/29/15 FILED UNDER SEAL
COMM 010516 SCY DATE STAMPED & ORDERED 1/4/16, ORDER FILED UNDER SEAL.
COMM 010516 SCY WILLIAMS, J (CC: MATTHEW FRALING, ATTY FOR CAESAR GOODSON
COMM 010516 SCY JANICE BLEDSOE, DEPUTY STATE'S ATTY, OFFICE OF THE STATE'S
COMM 010516 SCY ATTY FOR BALTO. CITY)
COMM 010516 SCY DATE STAMPED & ORDERED 1/4/16, ORDER FILED UNDER SEAL.

NEXT PAGE

P/N

PAGE 039

11:30:45 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:29
CASE 115141032 ST A GOODSON, CAESAR R OFC A32384 COD N DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 010516 SCY WILLIAMS, J (CC: MATTHEW FRALING, ATTY FOR CAESAR GOODSON
COMM 010516 SCY JANICE BLEDSOE, DEPUTY STATE'S ATTY, OFFICE OF THE STATE'S
COMM 010516 SCY ATTY FOR BALTO. CITY)
COMM 010516 SCY (2) - STATE'S MOTION 1/5/16 FILED UNDER SEAL
COMM 010516 SCY MOTION TO INTERVENE TO SEEK ACCESS TO COURT RECORDS AND
COMM 010516 SCY PROCEEDINGS AND REQUEST FOR HEARING FLD
COMM 010516 SCY STATE'S MOTION IN LIMINE TO PROHIBIT THE TESTIMONY OF
COMM 010516 SCY CHARLES G. RUSSELL OR IN THE ALTERNATIVE, LIMIT TESTIMONY
COMM 010516 SCY TO ACCIDENT RECONSTRUCTION FLD
COMM 010516 SCY STATE'S MOTION TO SEAL: STATE'S MOTION IN LIMINE TO PROHIBIT
COMM 010516 SCY THE TESTIMONY OF CHARLES G. RUSSELL, OR IN THE ALTERNATIVE,
COMM 010516 SCY LIMIT HIS TESTIMONY TO ACCIDENT RECONSTRUCTION FLD
COMM 010516 SCY DATE STAMPED & ORDERED 1/5/16, ORDER FILED UNDER SEAL.
COMM 010516 SCY WILLIAMS, J (CC: MATTHEW FRALING, ATTY FOR CAESAR GOODSON
COMM 010516 SCY JANICE BLEDSOE, DEPUTY STATE'S ATTY, OFFICE OF THE STATE'S
COMM 010516 SCY ATTY FOR BALTO. CITY)
COMM 010616 SCY DATE STAMPED & ORDERED 1/5/16, THAT THE STATE'S MOTION TO
COMM 010616 SCY SEAL: STATE'S MOTION IN LIMINE TO PROHIBIT THE TESTIMONY
COMM 010616 SCY OF CHARLES G. RUSSELL, OR IN THE ALTERNATIVE, LIMIT HIS

NEXT PAGE

P/N

PAGE 040

11:30:45 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE

CASE INQUIRY 11:29

CASE 115141032 ST A GOODSON, CAESAR R OFC

A32384 COD N DCM C 090215

EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 010616 SCY TESTIMONY TO ACCIDENT RECONSTRUCTION IS DENIED. WILLIAMS, J
COMM 010616 SCY (CC: MATTHEW FRALING, ATTY FOR DEFT, JANICE BLEDSOE, DEPUTY
COMM 010616 SCY STATE'S ATTY, OFFICE OF THE STATE'S ATTY FOR BALTO. CITY)
COMM 010616 SCB STATE'S RESPONSE TO MOTION TO QUASH TRIAL SUBPOENA OF
COMM 010616 SCB OFFICER WILLIAM PORTER FLD
COMM 010616 SCY DEFT'S OPPOSITION TO STATE'S MOTION IN LIMINE TO PROHIBIT
COMM 010616 SCY THE TESTIMONY OF CHARLES G. RUSSELL, OR IN THE ALTERNATIVE,
COMM 010616 SCY LIMIT HIS TESTIMONY TO ACCIDENT RECONSTRUCTION FLD
COMM 010616 SCY DATE STAMPED & ORDERED 1/6/16, THAT THE JURORS ARE TO
COMM 010616 SCY REMAIN ANONYMOUS AND THEIR NAMES ARE NOT TO BE DISCLOSED
COMM 010616 SCY TO ANYONE OTHER THAN THE JUDGE, COURT STAFF, COUNSEL, AND
COMM 010616 SCY THE DEFT UNTIL FURTHER ORDER FROM THE COURT. WILLIAMS, J
COMM 010616 SCY (CC: JOSEPH MURTHA, ATTY FOR DEFT, JANICE BLEDSOE, DEPUTY
COMM 010616 SCY STATE'S ATTY, OFFICE OF THE STATES'S ATTY FOR BALTO. CITY)
HCAL 010616 1 lgj P31;0930;528 ;JT ; ;CONT; ;WILLIAMS, BARRY;8C9
COMM 010616 1gj 1)STATE'S MOTION FOR ALTERNATING CHALLENGES IS HEREBY HEARD
COMM 010616 1gj AND GRANTED; 2)STATE'S MOTION IN LIMINE TO ALLOW JURORS TO
COMM 010616 1gj VIEW THE TRANSPORT WAGON IS HEREBY HEARD AND GRANTED;
COMM 010616 1gj STATE MOTION IN LIMINE TO PRECLUDE THE DEFENDANT FROM

NEXT PAGE

P/N

PAGE 041

11:30:46 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:29
CASE 115141032 ST A GOODSON, CAESAR R OFC A32384 COD N DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 010616 1g) 3)ATTEMPTING TO CALL PROSECUTOR AS TRIAL WITNESSES AND FROM
COMM 010616 1g) FROM ATTEMPTING TO CONTROVERT IRRELEVANT ASPECTS OF OR RAISE
COMM 010616 1g) BASELESS ACCUSATIONS ABOUT THE STATE'S ATTORNEY'S
COMM 010616 1g) PRE-INDICTMENT ACTION IN THIS CASE IS GRANTED IN PART AND
COMM 010616 1g) DENIED IN PART; 3A)GRANTED WITHOUT OBJECTION CONCERNING THE
COMM 010616 1g) RELATIONSHIP BETWEEN PROSECUTORS AND THEIR FRIENDS, PARTNERS,
COMM 010616 1g) OR SPOUSES; 3B)GRANTED WITHOUT OBJECTION CONCERNING
COMM 010616 1g) CIVIL ACTION AGAINST THE PROSECUTORS INVOLVING THE
COMM 010616 1g) UNDERLYING EVENTS OF THE CASE; 3C)GRANTED WITHOUT OBJECTION
COMM 010616 1g) CONCERNING PROSECUTOR PAST COORDINATION WITH POLICE TO
COMM 010616 1g) ADDRESS CRIME IN CERTAIN NEIGHBORHOODS; 3D)GRANTED WITHOUT
COMM 010616 1g) OBJECTION CONCERNING PROSECUTORS INVOLVMENT IN OBTAINING
COMM 010616 1g) SEARCH & SEIZURE WARRANTS IN THIS CASE; 3E)THE COURT GRANTS
COMM 010616 1g) THE REQUEST TO PRECLUDE INQUIRY INTO THE DRAFTING/EDITING OF
COMM 010616 1g) THE STATEMENT OF PROBABLE CAUSE FOR THE MATTER FINDING THAT
COMM 010616 1g) EVEN THOUGH THE STATE ACTED AS AN INDEPENDENT INVESTIGATOR
COMM 010616 1g) WOULD NOT BE APPROPRIATE TO ALLOW INQUIRY THROUGH PROCESS OF
COMM 010616 1g) THE LAWYERS CONCERNING THE DRAFTS OF THE STATEMENT; 3F)THE
COMM 010616 1g) COURT WILL DENY THE REQUEST TO DISALLOW INQUIRY INTO THE USE

NEXT PAGE

P/N

PAGE 042

11:30:47 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:29
CASE 115141032 ST A GOODSON, CAESAR R OFC A32384 COD N DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 010616 1gj OF S.A.O. EMPLOYEES CONCERNING INVESTIGATION; 3G)THE COURT
COMM 010616 1gj WILL DENY THE REQUEST TO DISALLOW INQUIRY INTO PROSECUTORS
COMM 010616 1gj INVOLVMENT IN COORDINATING OR PRIORITIZING ASPECTS OF THE
COMM 010616 1gj POLICE INVESTIGATION INTO THE DEATH OF MR.GRAY; 3H)THE COURT
COMM 010616 1gj WILL DENY THE REQUEST TO DISALLOW INQUIRY INTO THE
COMM 010616 1gj PROSECUTORS COORDINATION WITH THE OFFICE OF CHIEF MEDICAL
COMM 010616 1gj EXAMINER CONCERNING THIS CASE; 4)STATE'S MOTION IN LIMINE TO
COMM 010616 1gj PRECLUDE EVIDENCE OF ARGUMENT ABOUT OR REFERENCE TO CERTAIN
COMM 010616 1gj INFORMATION REGARDING THE VICTIM IS HEREBY HEARD AND
COMM 010616 1gj DENIED; 5)DEFENSE MOTION IN LIMINE TO PRECLUDE THE TESTIMONY
COMM 010616 1gj OF DOCTOR CAROL ALLAD IS HEREBY HEARD AND DENIED; 6)DEFENSE
COMM 010616 1gj MOTION IN LIMINE REGARDING JURORS IS 6A)GRANTED CONCERNING
COMM 010616 1gj ANONYMOUS JURORS 6B)DENIED FOR FULL SEQUESTION OF JUROR,
COMM 010616 1gj 6C)DENIED FINDING THAT IT IS NOT AN APPROPRIATE IN LIMINE
COMM 010616 1gj MOTION (ESCORT TO AND FROM COURT HOUSE); 7)SECOND MOTION FOR
COMM 010616 1gj RECONSIDERATION OF DENIED OF MOTION FOR REMOVAL FILED
COMM 010616 1gj 12/15/15 IS DENIED;8)MOTION TO LIMINE TESTIMONY AND EVIDENCE
COMM 010616 1gj CONCERNING BALTIMORE POLICE DEPARTMENT; GENERAL ORDERS AND
COMM 010616 1gj POLICIES INVOLVING SEAT BELTS IN POLICE VEHICLE IS DENIED;

NEXT PAGE

P/N

PAGE 043

11:30:47 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:29
CASE 115141032 ST A GOODSON, CAESAR R OFC A32384 COD N DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 010616 lgj 9) MOTION TO STRIKE STATE'S EXPERT STANFORD O'NEIL FRANKLIN
COMM 010616 lgj AND REQUEST FOR A HEARING AND SEALING MOTION IS DENIED;
COMM 010616 lgj 10) STATE MOTION TO PRECLUDE AN IRRELEVANT CERTAIN EVIDENCE
COMM 010616 lgj ABOUT ARREST ON 05/03/15 WAS WITHDRAWN; 11) MOTION TO QUASH
COMM 010616 lgj TRIAL SUBPOENA OF OFFICER WILLIAM PORTER IS DENIED;
COMM 010616 lgj 12) IMMUNITY MOTION GRANTED; CONTINUED TO 01/11/16 IN
COMM 010616 lgj PART 31 AT 9:30AM; CC: JUDGE B.WILLIAMS
COMM 010716 SCY DATE STAMPED & ORDERED 1/6/16, THAT THE STATES' MOTION TO
COMM 010716 SCY COMPEL A WITNESS TO TESTIFY PURSUANT TO SECTION 9-123 OF
COMM 010716 SCY THE COURTS AND JUDICIAL PROCEEDINGS ARTICLE IS GRANTED,
COMM 010716 SCY AND FURTHER ORDERED THAT OFFICER WILLIAM PORTER, D.O.B.
COMM 010716 SCY 6/26/89, SHALL TESTIFY AS A WITNESS FOR THE STATE IN THE
COMM 010716 SCY ABOVE-CAPTIONED CASE AND MAY NOT REFUSE TO COMPLY WITH
COMM 010716 SCY THIS ORDER ON THE BASIS OF HIS PRIVILEGE AGAINST SELF-
COMM 010716 SCY INCRIMINATION, AND FURTHER ORDERED THAT NO TESTIMONY
COMM 010716 SCY OF OFFICER WILLIAM PORTER, D.O.B, 6/26/89, COMPELLED
COMM 010716 SCY PURSUANT TO THIS ORDER, AND NO INFORMATION DIRECTLY OR
COMM 010716 SCY INDIRECTLY DERIVED FROM THE TESTIMONY OF OFFICER PORTER
COMM 010716 SCY COMPELLED PURSUANT TO THIS ORDER, MAY BE USED AGAINST

NEXT PAGE

P/N

PAGE 044

11:30:48 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:29
CASE 115141032 ST A GOODSON, CAESAR R OFC A32384 COD N DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 010716 SCY OFFICER PORTER IN ANY CRIMINAL CASE, EXCEPT IN A PROSECUTION
COMM 010716 SCY FOR PERJURY, OBSTRUCTION OF JUSTICE, OR OTHERWISE FAILING TO
COMM 010716 SCY COMPLY WITH THIS ORDER. WILLIAMS, J (CC: JOSEPH MURTHA,
COMM 010716 SCY ATTY FOR WILLIAM PORTER, MATTHEW FRALING, ATTY FOR CAESAR
COMM 010716 SCY GOODSON, JANICE BLEDSOE, DEPUTY STATE'S ATTY, OFFICE OF
COMM 010716 SCY THE STATE'S ATTY FOR BALTO. CITY)
COMM 010716 CSU NOTICE OF INTERLOCUTORY APPEAL BY WITNESS WILLIAM PORTER
COMM 010716 CSU FLD. PER GARY PROCTOR & JOSEPH MURTHA ATTORNEYS CK. #13968
COMM 010716 CSU FOR \$121.00. DUE TO TRANSMIT 3-7-16. ****ASSIGNED TO LMH****
COMM 010716 CSU WITNESS WILLIAM PORTER'S MOTION FOR INJUNCTION PENDING
COMM 010716 CSU APPEAL FLD. PER ATTYS. JOSEPH MURTHA & GARY PROCTOR.
COMM 010716 CSU WAS HAND DELIVERED TO JUDGE WILLIAMS.
COMM 010716 SCY DATE STAMPED & ORDERED 1/7/16, THAT WILLIAM PORTER'S MOTION
COMM 010716 SCY FOR INJUNCTION PENDING APPEAL IS DENIED. WILLIAMS, J
COMM 010716 SCY (CC: JOSEPH MURTHA, ATTY FOR WILLIAM PORTER, MATTHEW
COMM 010716 SCY FRALING, ATTY FOR CAESAR GOODSON, JANICE BLEDSOE, DEPUTY
COMM 010716 SCY STATE'S ATTY, OFFICE OF THE STATE'S ATTY FOR BALTO. CITY)
COMM 010816 SCY DATE STAMPED & ORDERD 1/5/16, ORDER FILED UNDER SEAL
COMM 010816 SCY WILLIAMS, J (CC: MATTHEW FRALING, ATTY FOR CAESAR GOODSON,

NEXT PAGE

P/N

PAGE 045

11:30:49 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:29
CASE 115141032 ST A GOODSON, CAESAR R OFC A32384 COD N DCM C 090215

EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT

COMM 010816 SCY JANICE BLEDSOE, DEPUTY STATE'S ATTY, OFFICE OF STATE'S

COMM 010816 SCY ATTY FOR BALTO. CITY)

COMM 010816 CKW STATE'S MOTION FOR CONTINUANCE PENDING RESOLUTION BY THE

COMM 010816 CKW COURT OF SPECIAL APPEALS OF THE MOTION FOR INJUNCTION

COMM 010816 CKW PENDING APPEAL BY OFFICER WILLIAM PORTER OR, IN THE

COMM 010816 CKW ALTERNATIVE, TO RETRY OFFICER WILLIAM PORTER'S PENDING

COMM 010816 CKW CRIMINAL CASE PRIOR TO THE TRIALS OF THOSE CASES IN WHICH

COMM 010816 CKW HE IS A SUBPOENAED WITNESS FLD

COMM 011116 SCY DEFT'S OPPOSITION TO THE STATE'S MOTION FOR CONTINUANCE FLD

COMM 011116 CKW DEF CAESAR GOODSON'S OPPOSITION TO THE STATE'S MOTION FOR

COMM 011116 CKW CONTINUANCE FLD

HCAL 011116 1 S8T P31;0900;528 ;JT ; ;CONT; ;WILLIAMS, BARRY;8C9

COMM 011116 S8T CSET JT ; P31; 01/11/16; S8T

COMM 011116 S8T STATE'S MOTION FOR CONTINUANCE WAS "MOOT" POINT CONSIDERING

COMM 011116 S8T THE RULING BY COURT OF SPECIAL APPEALS ON PORTER'S TESTIMONY

COMM 011116 S8T TO BE RESET BY THE COURT

COMM 011516 SCB DEF'S OBJECTION TO APPELLATE COURT'S ORDER AND RESULTANT

COMM 011516 SCB POSTPONEMENT OF OFFICER GOODSON'S TRIAL FLD

COMM 012016 CSU ORIGINAL PAPERS FORWARDED TO COSA VIA FED EX TRACKING #8099-

NEXT PAGE

P/N

PAGE 046

11:30:49 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:29
CASE 115141032 ST A GOODSON, CAESAR R OFC A32384 COD N DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 012016 CSU 2219-6865. (1) BINDER, NO EXHIBITS, AND NO TRANSCRIPTS.
COMM 012016 SCY DATE STAMPED & ORDERED 1/19/16, DEFT'S DISCOVERY DISCLOSURES
COMM 012016 SCY TIME-STAMPED 3:52, BE REMOVED FROM THE COURT FILE, AND
COMM 012016 SCY DEFT'S DISCOVERY DISCLOSURES, TIME-STAMPED 3:52, BE
COMM 012016 SCY RETURNED TO COUNSEL, & DEFT'S DISCOVERY DISCLOSURES,
COMM 012016 SCY TIME-STAMPED 3:52, BE REMOVED FROM PUBLIC ACCESS,
COMM 012016 SCY INCLUDING, BUT NOT LIMITED TO, THE CIRCUIT COURT FOR
COMM 012016 SCY BALTO CITY'S WEBSITE. WILLIAMS, J (CC: MATTHEW FRALING,
COMM 012016 SCY ATTY FOR CAESAR GOODSON, JANICE BLEDOSE, DEPUTY STATE'S
COMM 012016 SCY ATTY, OFFICE OF THE STATE'S ATTY FOR BALTO CITY)
COMM 012816 CPR STATE'S SUPPLEMENTAL DISCLOSURE
COMM 012916 CSU ORDER: IT IS HEREBY ORDERED THIS 19TH DAY OF JANUARY, 2016
COMM 012916 CSU BY THE COURT OF SPECIAL APPEALS, THAT SUBJECT TO FURTHER
COMM 012916 CSU ORDER OF THIS COURT, THE RECORD ON APPEAL SHALL CONSIST OF
COMM 012916 CSU CERTIFIED COPIES OF DOCKET ENTRIES; THE TRANSCRIPT OF THE
COMM 012916 CSU AFTERNOON PROCEEDINGS IN THE CIRCUIT COURT ON 01-06-16;
COMM 012916 CSU APPELLANT'S 01-04-16 MOTION TO QUASH THE SUBPOENA FOR HIS
COMM 012916 CSU TESTIMONY; THE STATE OF MARYLAND'S 01-06-16 RESPONSE TO
COMM 012916 CSU THE MOTION TO QUASH; THE STATE OF MARYLAND'S MOTION TO

NEXT PAGE

P/N

PAGE 047

11:30:50 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE
CASE 115141032 ST A GOODSON, CAESAR R OFC

CASE INQUIRY 11:29
A32384 COD N DCM C 090215

EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 012916 CSU COMPEL WILLIAM PORTER'S TESTIMONY AND THE ATTACHED DRAFT
COMM 012916 CSU ORDER; AND THE CIRCUIT COURT'S 01-06-16 ORDER COMPELLING
COMM 012916 CSU APPELLANT WILLIAM PORTER TO TESTIFY; ORDERED THAT CIRCUIT
COMM 012916 CSU COURT SHALL TRANSMIT THE RECORD TO THIS COURT ON OR BEFORE
COMM 012916 CSU 01-25-16; AND IT IS FURTHER ORDERED THAT THE PARTIES MAY,
COMM 012916 CSU BY APPROPRIATE MOTION, REQUEST THE CORRECTION OF THE RECORD
COMM 012916 CSU ON APPEAL PURSUANT TO RULE 8-414 PER CHIEF JUDGE PETER B.
COMM 012916 CSU KRAUSER.
COMM 020316 CSJ RECEIPT FOR TRANSCRIPT OF RECORD RECEIVED FROM COSA.
COMM 021016 CSU ORDER TO SUPPLEMENT, DOCKET ENTRIES, AND MOTION TO QUASH THE
COMM 021016 CSU SUBPOENA FOR TESTIMONY, STATE'S RESPONSE TO MOTION TO QUASH,
COMM 021016 CSU AND ORDER COMPELLING APPELLANT WILLIAM PORTER TO TESTIFY
COMM 021016 CSU WAS SENT TO COSA VIA FED EX TRACKING #8099-2219-6810.
COMM 021116 SCY STATES'S SUPPLEMENTAL DISCLOSURE FLD
COMM 021616 CSU RECEIPT IS HEREBY ACKNOWLEDGED OF A PETITION FOR WRIT OF
COMM 021616 CSU CERTIORARI FLD. IN THE ABOVE ENTITLED CASE PER BESSIE M.
COMM 021616 CSU DECKER, CLERK COURT OF APPEALS OF MARYLAND.
COMM 021616 CSU TRANSCRIPT OF RECORD REC'D FROM COSA SIGNED LYNN SADLER,
COMM 021616 CSU CLERK COURT OF SPECIAL APPEALS.

NEXT PAGE

P/N

PAGE 048

11:30:50 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE CASE INQUIRY 11:29
CASE 115141032 ST A GOODSON, CAESAR R OFC A32384 COD N DCM C 090215
EVENT DATE OPER PART TIME ROOM REAS / EVENT COMMENT
COMM 021616 CSJ LETTER FROM ATTORNEY DAVID B. LOVE TO ASA MATT PILLION
COMM 021616 CSJ REGARDING SUBPOENAS FILED.
CON FULL NAME/PHONE NUMBER IDENT ADD/FILE STREET/CITY STATE ZIPCODE V/W
AKA GOODSON, CAESAR ROMERO JR 052715

ADF ASKEW, AMY E 410-752-6030	24075 092415 1 SOUTH ST 26THFLR 092415 BALTIMORE MD 21202
ADF FRALING, MATTHEW 410-366-1500	270545 060115 2423 MARYLAND AVE, SUITE 100 061815 BALTIMORE MD 21218
ADF GRAHAM, ANDREW JAY	322413 061615 ONE SOUTH STREET #2600 061515 BALTIMORE MD 21202
ADF REDD, JUSTIN A 410-752-6030	682551 010716 1 SOUTH ST., STE 2600 123115 BALTIMORE MD 21202
ASA MOSBY, MARILYN J	589290 091015 120 E BALTIMORE ST 091015 BALTIMORE MD 21202
ASA PILLION, MATTHEW	653491 071415 120 E BALTIMORE STREET 071315 BALTIMORE MD 21202
ASA BLEDSOE, JANICE L 443-984-2966	68776 052215 120 E BALTIMORE ST 10TH FL 072415 BALTIMORE MD 21202

NEXT PAGE

P/N

PAGE 049

11:30:51 Friday, February 19, 2016

02/19/16 CRIMINAL COURT OF BALTIMORE
CASE 115141032 ST A GOODSON, CAESAR R OFC A32384 COD N DCM C 090215
CON FULL NAME/PHONE NUMBER IDENT ADD/FILE STREET/CITY STATE ZIPCODE V/W
ASA SCHATZOW, MICHAEL 717876 061815 120 E BALTIMORE ST 10TH FL
061715 BALTIMORE MD 21202
PO TAYLOR, DAWNYELL S G932 052215 DET DIV HOMICIDE SECTION

BAIL TYPE S
AMOUNT 350000 TOTAL 0 PROPERTY VAL 0 MORTGAGE 0
DATE POSTED 050115 BAIL NO FCS1000-1500223 LOC DC GR RENT
DATE FORFEIT JUDGE IDENT
FORFEIT COMMENT
DATE EXTENDED DAYS EXTENDED 000 JUDGE IDENT
DATE JUDGEMENT
DATE CLOSED REASON JUDGE IDENT
BONDSMAN1 HEAVENS, NICHOLAS H IDENT TELEPHONE
ADDRESS 1101 NORTH POINT BLVD STE 121 CITY BALTIMORE ST MD ZIP 21224
BONDSMAN2
ADDRESS CITY ST ZIP
COMP/PROPERTY *FINANCIAL CASUALTY & SURETY IDENT 35

UPDATED ON 05/22/15 BY CKW 001

END OF DATA

P/1

PAGE 050

STATE'S ATTORNEY
Marilyn J. Mosby



OFFICE of the STATE'S ATTORNEY for BALTIMORE CITY
120 East Baltimore Street | Baltimore, Maryland 21202

DIRECT DIAL
443-984-6011

September 15, 2015

VIA HAND DELIVERY

The Honorable Barry G. Williams
Associate Judge
Circuit Court for Baltimore City
534 Courthouse East
Baltimore, MD 21202

Re: State v. Goodson, et al.,
Case Nos.: 115141032-37

Dear Judge Williams,

I write as directed concerning the order and anticipated length of trials. The anticipated length of trial does not include the time for hearing and resolving pretrial motions, the time for jury selection, nor the length of the defense cases. Because the State has not yet received discovery from any of the Defendants, the anticipated length of trial also does not include possible additional time in the State's case from meeting anticipated defenses. The State would call the cases in the following order.

- First: William Porter, No. 115141037 Five days
- Second: Caesar Goodson, No. 115141032 Five days
- Third: Alicia White, No. 115141036 Four days
- Fourth: Garrett Miller, No. 115141034 Three days
- Fifth: Edward Nero, No. 115141033 Three days
- Sixth: Brian Rice, No. 115141035 Four days.

Defendant Porter is a necessary and material witness in the cases against Defendants Goodson and White, so it is imperative that Mr. Porter's trial takes place before their trials. Defendant Porter's counsel has known this since before the grand jury returned indictments in these cases. On July 24, 2015, counsel for Defendants Porter and Rice were advised by the State that Porter's case would be called first, either with Defendant Rice or without him, depending on the Court's ruling on the joinder sought by the State. Presumably, counsel for Defendants Porter and Rice so advised counsel for the other defendants. In any event, counsel for all Defendants were notified that the State intended to call the Porter case first during the chambers conference with the court on September 2, 2015.

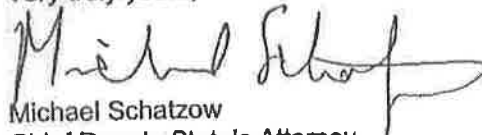
The trial date of October 13, 2015 was ordered on June 19, 2015, based on the availability of the court and all counsel. As Judge Pierson requested, we had cleared that date with Dr. Carol Allan, the Assistant Medical Examiner who conducted the autopsy. We were advised by Dr. Allan this morning that she will be out of Maryland from November 16 through November 30. The State will be ready to begin the case against Mr. Porter on October 13. Counsel for Mr. Porter has expressed his intent to seek a continuance. The State informed counsel for Mr. Porter over the past weekend that it had no objection to a continuance of Mr. Porter's case of up to three weeks, *provided* that his remains the first case to be tried. However, given Dr. Allan's schedule,

the State now believes that it cannot consent to a continuance beyond October 26. Given that no other Defendant is required to be ready for trial on October 13 (and the State has not received any discovery from any Defendant 30 days before October 13), a two week continuance would not unduly delay the time by which all six cases could be resolved. However, if the consequence of a continuance for Mr. Porter would be forcing the State to try a different Defendant first, then the State would vigorously oppose a continuance for Mr. Porter. Mr. Porter's counsel has been aware of the October 13 trial date for almost three months, and has known with certainty that Mr. Porter's case would be tried first for at least six weeks. In light of the long scheduled and agreed upon trial date, and the other background referenced above, Mr. Porter has no legitimate basis for a continuance, particularly one that would impact the State's traditional right to call cases in the order it chooses.

Finally, the Court directed the State to provide an alternative order in the event that Mr. Porter's case is not tried first. Without prejudice to the State's position that, in light of the facts of this case and the information in this letter, it should be able to call the cases in the order expressed above, the State's alternative order would be to try Mr. Miller first, and then, in order, Mr. Porter, Mr. Goodson, Ms. White, Mr. Nero and Mr. Rice. Without listing all the possible permutations, the State essentially seeks to have Mr. Porter tried before Mr. Goodson and Ms. White, to have Mr. Miller tried before Mr. Nero, and to have Mr. Miller and Mr. Nero tried before Mr. Rice.

Thank you for your consideration of these requests. Pursuant to your instructions, I have enclosed the transcript of each defendant's statement. I trust that this letter is clear and responsive to your direction. If you have any questions or think that a chambers conference would be useful, the State is available at the convenience of the Court.

Very truly yours,



Michael Schatzow
Chief Deputy State's Attorney
Baltimore City State's Attorney's Office

MS/tsr

Enclosures

Cc: Without Enclosures

Matthew B. Fraling, III, Esquire, Via Email
Marc L. Zayon, Esquire, Via Hand Delivery
Catherine Flynn, Esquire, Via Hand Delivery
Joseph Murtha, Esquire, Via Email
Ivan Bates, Esquire, Via Hand Delivery
Michael Belsky, Esquire, Via Hand Delivery
Andrew Jay Graham, Esquire, Via Hand Delivery
Gary Proctor, Esquire, Via Hand Delivery



CIRCUIT COURT FOR BALTIMORE CITY
 100 N. Calvert Street, Baltimore, Maryland 21202
 Phone: (410) 333-3722 Maryland Relay call: 711

Case No. 115141032

STATE OF MARYLAND
 or

vs. Caesar Goodson
 Defendant

Plaintiff

TO: William Porter

Name
242 West 29th Street

Address
Baltimore, MD 21211

City, Country, State, Zip

Issue Date: November 20, 2015
 Service Deadline: 60 days after Issue Date.

SUBPOENA

You are hereby compelled to appear at a court proceeding deposition at the following location:

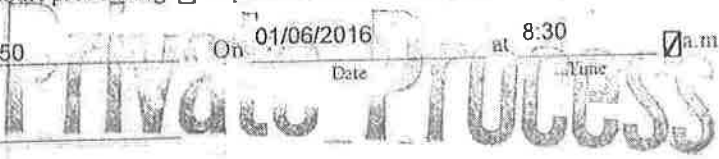
100 North Calvert Street, Part 31, Room 550
 Address of court or other location

On 01/06/2016

at 8:30

a.m. or p.m.

Baltimore, Maryland 21202
 City, State, Zip



To testify in the above case, and/or

To produce the following documents, items, and information, not privileged: _____

To produce, permit inspection and copying of the following documents or other tangible items: _____

Deputy State's Attorney Janice Bledsoe requested issuance of this subpoena. Questions should be referred to:
 Requested By Janice Bledsoe Address 120 East Baltimore Street, 10th Floor
 Name (443) 985-6000 City, State, Zip Baltimore, Maryland 21202
 Phone _____

Special Message: _____

- If this subpoena compels the production of financial information, or information derived from financial records, the requestor of this subpoena hereby certifies having taken all necessary steps to comply with the requirements of Md. Code Ann., Fin. Inst. §1-304 and any other applicable law.
- If this subpoena compels the production of medical records, the requestor of this subpoena hereby certifies having taken all necessary steps to comply with the requirements of Md. Code Ann., Health-Gen. §4-206 and any other applicable law.

Lavinia G. Alexander, Clerk
 Circuit Court for Baltimore City

NOTICE:

1. YOU ARE LIABLE TO BODY ATTACHMENT AND/OR FINE FOR FAILURE TO OBEY THIS SUBPOENA.
2. This subpoena is effective for the date and time stated and any subsequent dates as directed by the court.
3. If this subpoena is for attendance at a deposition and the party served is an organization, notice is hereby given that the organization must designate one or more persons who will testify on its behalf, pursuant to Rule 2-412(d).
4. Serving or attempting to serve a subpoena more than 60 days after the date of issuance is prohibited.

RETURN OF SERVICE

I certify that I delivered the original of this Subpoena to the following person(s): William Porter
 on the following date: 12/11/2015 by the following method (specified as required by Rule 2-126):

IN HAND

Wayne Williams
 Signature
WAYNE WILLIAMS
 Printed Name



CIRCUIT COURT FOR BALTIMORE CITY
 100 N. Calvert Street, Baltimore, Maryland 21202
 Phone: (410) 333-3722 Maryland Relay call: 711

Case No. 115141036

STATE OF MARYLAND
 or

vs. Alicia White

Plaintiff

Defendant

TO: William Porter

Issue Date: November 20, 2015

Service Deadline: 60 days after Issue Date.

Name
242 West 29th Street
 Address
Baltimore, MD 21211
 City, County, State, Zip

SUBPOENA

You are hereby compelled to appear at a court proceeding deposition at the following location:

100 North Calvert Street, Part 31, Room 550
 Address of court or other location

On 01/25/2016 at 8:30 a.m. or p.m.
 Date Time

Baltimore, Maryland 21202
 City, State, Zip

Private Process

To testify in the above case, and/or

To produce the following documents, items, and information, not privileged:

To produce, permit inspection and copying of the following documents or other tangible items:

Deputy State's Attorney Janice Bledsoe

requested issuance of this subpoena. Questions should be referred to:

Requested By
Janice Bledsoe
 Name
(443) 985-6000
 Phone

120 East Baltimore Street, 10th Floor
 Address
Baltimore, Maryland 21202
 City, State, Zip

Special Message:

- If this subpoena compels the production of financial information, or information derived from financial records, the requestor of this subpoena hereby certifies having taken all necessary steps to comply with the requirements of Md. Code Ann., Fin. Inst. §1-304 and any other applicable law.
- If this subpoena compels the production of medical records, the requestor of this subpoena hereby certifies having taken all necessary steps to comply with the requirements of Md. Code Ann., Health Gen. §4-306 and any other applicable law.

Lavinia G. Alexander, Clerk
 Circuit Court for Baltimore City

NOTICE:

1. YOU ARE LIABLE TO BODY ATTACHMENT AND/OR FINE FOR FAILURE TO OBEY THIS SUBPOENA.
2. This subpoena is effective for the date and time stated and any subsequent dates as directed by the court.
3. If this subpoena is for attendance at a deposition and the party served is an organization, notice is hereby given that the organization must designate one or more persons who will testify on its behalf, pursuant to Rule 2-412(d)
4. Serving or attempting to serve a subpoena more than 60 days after the date of issuance is prohibited.

RETURN OF SERVICE

I certify that I delivered the original of this Subpoena to the following person(s): WILLIAM PORTER
 on the following date: 12/11/2015 by the following method (specified as required by Rule 2-126):

IN HAND

Wayne Williams
 Signature
WAYNE WILLIAMS
 Printed Name

STATE OF MARYLAND

v.

CAESAR GOODSON

* * * * *

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IN THE
CIRCUIT COURT FOR
BALTIMORE CITY
CASE No. 115141032

STATE'S MOTION TO COMPEL A WITNESS TO TESTIFY PURSUANT TO SECTION 9-123 OF THE COURTS AND JUDICIAL PROCEEDINGS ARTICLE

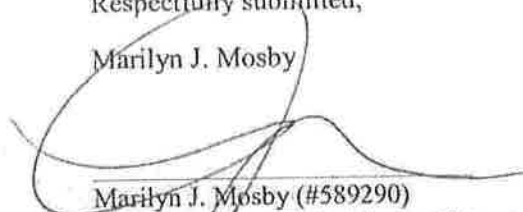
Now comes the State of Maryland, by and through Marilyn J. Mosby, the State's Attorney for Baltimore City, and pursuant to Section 9-123 of the Courts and Judicial Proceedings Article moves this Court to issue an order requiring Officer William Porter, D.O.B. 6/26/1989, in the above-captioned case to give testimony which he has refused to give on the basis of his privilege against self-incrimination. In support of this Motion, the State avers the following:

1. The State has subpoenaed and called Officer William Porter to testify as a witness in the above-captioned criminal proceeding being held before this Court.
2. The State's Attorney for Baltimore City has determined that the testimony of Officer William Porter in the above-captioned case may be necessary to the public interest.
3. Officer William Porter has refused to testify in the above-captioned case on the basis of his privilege against self-incrimination.
4. The State's Attorney for Baltimore City seeks to compel Officer William Porter to testify in the above-captioned case.

Wherefore, the State requests that this Court issue an order requiring Officer William Porter in the above-captioned case to give testimony which he has refused to give on the basis of his privilege against self-incrimination.

Respectfully submitted,

Marilyn J. Mosby



Marilyn J. Mosby (#589290)
State's Attorney for Baltimore City
120 East Baltimore Street
The SunTrust Bank Building
Baltimore, Maryland 21202
(443) 984-6000 (telephone)
(443) 984-6256 (facsimile)
mail@stattorney.org

CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of January, 2016, a copy of the State's Motion to Compel a Witness to Testify Pursuant to Section 9-123 of the Courts and Judicial Proceedings article was mailed and e-mailed to:

Matthew B. Fraling, III
Sean Malone
Harris Jones & Malone, LLC
2423 Maryland Avenue, Suite 100
Baltimore, MD 21218
(410) 366-1500
matthew.fraling@mdlobbyist.com
Attorneys for Officer Caesar Goodson

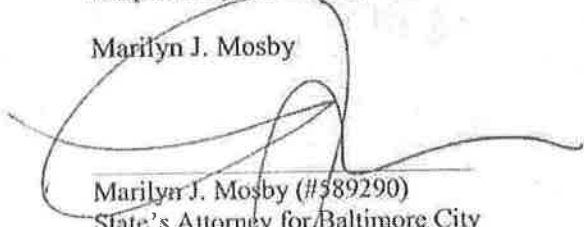
Joseph Murtha
Murtha, Psoras & Lanasa, LLC
1301 York Road, Suite 200
Lutherville, Maryland 21093
(410) 583-6969
jmurtha@mpllawyers.com
Attorney for Officer William Porter

Andrew Jay Graham
Amy E. Askew
Kramon & Graham, P.A.
1 South Street, Suite 2600
Baltimore, MD 21202
410-752-6030
AGraham@kg-law.com
Attorney for Officer Caesar Goodson

Gary Proctor
Gary E. Proctor, LLC
8 E. Mulberry St.
Baltimore, MD 21202
410-444-1500
garyeproctor@gmail.com
Attorney for Officer William Porter

Respectfully submitted,

Marilyn J. Mosby



Marilyn J. Mosby (#589290)
State's Attorney for Baltimore City
120 East Baltimore Street
The SunTrust Bank Building
Baltimore, Maryland 21202
(443) 984-6000 (telephone)
(443) 984-6256 (facsimile)
mail@stattorney.org

STATE OF MARYLAND

v.

CAESAR GOODSON

* * * * *

*
*
*
*
*
*

IN THE
CIRCUIT COURT FOR
BALTIMORE CITY
CASE No. 115141032

ORDER

Having reviewed the State's Motion to Compel a Witness to Testify Pursuant to Section 9-123 of the Courts and Judicial Proceedings Article, in which the State's Attorney for Baltimore City seeks to compel Officer William Porter, D.O.B. 6/26/1989, to testify in the above-captioned criminal proceeding; finding that Officer William Porter has been called by the State as a witness to testify in the above-captioned criminal proceeding but that Officer William Porter has refused to testify on the basis of his privilege against self-incrimination; and further finding that the State's Motion to Compel Officer William Porter's testimony complies with the requirements of Section 9-123 of the Courts and Judicial Proceedings Article, it is this ____ day of January, 2016, by the Circuit Court for Baltimore City

ORDERED that the State's Motion to Compel a Witness to Testify Pursuant to Section 9-123 of the Courts and Judicial Proceedings Article be and hereby is **GRANTED**; and it is further

ORDERED that Officer William Porter, D.O.B. 6/26/1989, shall testify as a witness for the State in the above-captioned criminal proceeding and may not refuse to comply with this Order on the basis of his privilege against self-incrimination; and it is further

ORDERED that no testimony of Officer William Porter, D.O.B. 6/26/1989, compelled pursuant to this Order and no information directly or indirectly derived from the testimony of Officer William Porter compelled pursuant to this Order may be used against Officer William Porter in any criminal case, except in a prosecution for perjury, obstruction of justice, or otherwise failing to comply with this Order.

Judge
Circuit Court for Baltimore City

STATE OF MARYLAND

v.

ALICIA WHITE

* * * * *

IN THE
CIRCUIT COURT FOR
BALTIMORE CITY
CASE No. 115141036

STATE'S MOTION TO COMPEL A WITNESS TO TESTIFY PURSUANT TO SECTION 9-123 OF THE COURTS AND JUDICIAL PROCEEDINGS ARTICLE

Now comes the State of Maryland, by and through Marilyn J. Mosby, the State's Attorney for Baltimore City, and pursuant to Section 9-123 of the Courts and Judicial Proceedings Article moves this Court to issue an order requiring Officer William Porter, D.O.B. 6/26/1989, in the above-captioned case to give testimony which he has refused to give on the basis of his privilege against self-incrimination. In support of this Motion, the State avers the following:

1. The State has subpoenaed and called Officer William Porter to testify as a witness in the above-captioned criminal proceeding being held before this Court.
2. The State's Attorney for Baltimore City has determined that the testimony of Officer William Porter in the above-captioned case may be necessary to the public interest.
3. Officer William Porter has refused to testify in the above-captioned case on the basis of his privilege against self-incrimination.
4. The State's Attorney for Baltimore City seeks to compel Officer William Porter to testify in the above-captioned case.

Wherefore, the State requests that this Court issue an order requiring Officer William Porter in the above-captioned case to give testimony which he has refused to give on the basis of his privilege against self-incrimination.

Respectfully submitted,

Marilyn J. Mosby



Marilyn J. Mosby (#589290)
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CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of January, 2016, a copy of the State's Motion to Compel a Witness to Testify Pursuant to Section 9-123 of the Courts and Judicial Proceedings article was mailed and e-mailed to:

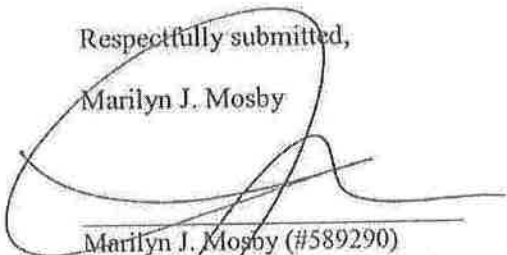
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Respectfully submitted,

Marilyn J. Mosby



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STATE OF MARYLAND

v.

ALICIA WHITE

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IN THE
CIRCUIT COURT FOR
BALTIMORE CITY
CASE No. 115141036

ORDER

Having reviewed the State's Motion to Compel a Witness to Testify Pursuant to Section 9-123 of the Courts and Judicial Proceedings Article, in which the State's Attorney for Baltimore City seeks to compel Officer William Porter, D.O.B. 6/26/1989, to testify in the above-captioned criminal proceeding; finding that Officer William Porter has been called by the State as a witness to testify in the above-captioned criminal proceeding but that Officer William Porter has refused to testify on the basis of his privilege against self-incrimination; and further finding that the State's Motion to Compel Officer William Porter's testimony complies with the requirements of Section 9-123 of the Courts and Judicial Proceedings Article, it is this ____ day of January, 2016, by the Circuit Court for Baltimore City

ORDERED that the State's Motion to Compel a Witness to Testify Pursuant to Section 9-123 of the Courts and Judicial Proceedings Article be and hereby is **GRANTED**; and it is further

ORDERED that Officer William Porter, D.O.B. 6/26/1989, shall testify as a witness for the State in the above-captioned criminal proceeding and may not refuse to comply with this Order on the basis of his privilege against self-incrimination; and it is further

ORDERED that no testimony of Officer William Porter, D.O.B. 6/26/1989, compelled pursuant to this Order and no information directly or indirectly derived from the testimony of Officer William Porter compelled pursuant to this Order may be used against Officer William Porter in any criminal case, except in a prosecution for perjury, obstruction of justice, or otherwise failing to comply with this Order.

Judge
Circuit Court for Baltimore City



From: Michael Schatzow <MSchatzow@statorney.org>

Subject: State v. Porter-immunity

Date: December 17, 2015 at 1:20:57 PM EST

To: Stephanie Owen <Stephanie.Owen@mdcourts.gov>

Cc: Joseph Murtha <jmurtha@mpllawyers.com>, Gary Proctor <garyeproctor@gmail.com>, Janice Bledsoe <JBledsoe@statorney.org>, "Matt Pillion" <MPillion@statorney.org>

Dear Ms. Owen-

As discussed this morning with the Court, this email provides some of the authority holding that a state grant of use and derivative use immunity co-extensive with the defendant's Fifth Amendment privilege like Maryland's immunity statute is, protects the defendant from use and derivative use of his testimony by the federal government.

United States v. Balsys, 524 U.S. 666, 680-682 (1998):

In 1964 our precedent took a turn away from the unqualified proposition that fear of prosecution outside the jurisdiction seeking to compel testimony did not implicate a Fifth or Fourteenth Amendment privilege, as the case might be. In *Murphy v. Waterfront Comm'n of N. Y. Harbor*, 378 U.S. 52, 12 L. Ed. 2d 678, 84 S. Ct. 1594 (1964), we reconsidered the converse of the situation in *Murdock*, whether a witness in a state

proceeding who had been granted immunity from state prosecution could invoke the privilege based on fear of prosecution on federal charges. In the course of enquiring into a work stoppage at several New Jersey piers, the Waterfront Commission of New York Harbor subpoenaed the defendants, who were given immunity from prosecution under the laws of New Jersey and New York. When the witnesses persisted in refusing to testify based on their fear of federal prosecution, they were held in civil contempt, and the order was affirmed by New Jersey's highest court. In re Application of the Waterfront Comm'n of N. Y. Harbor, 39 N.J. 436, 449, 189 A.2d 36, 44 (1963). This Court held the defendants could be forced to testify not because fear of federal prosecution was irrelevant but because the Self-Incrimination Clause barred the National Government from using their state testimony or its fruits to obtain a federal conviction. We explained "that the constitutional privilege against self-incrimination protects a state witness against incrimination under federal as well as state law and a federal witness [***590] against incrimination under state as well as federal law." 378 U.S. at 77-78.

....

But under the Self-Incrimination Clause, the government has an option to exchange the stated privilege for an immunity to prosecutorial use of any compelled inculpatory testimony. *Kastigar v. United States*, 406 U.S. at 448-449. The only condition on the government when it decides to offer immunity in place of the privilege to stay silent is the requirement to provide an immunity as broad as the privilege itself. 406 U.S. at 449. After *Malloy* [***591] had held the privilege binding on the state jurisdictions as well as the National Government, it would therefore have been intolerable to allow a prosecutor in one or the other jurisdiction to eliminate the privilege by offering immunity less complete than the privilege's dual jurisdictional reach. *Murphy* accordingly held that a federal court could not receive testimony compelled by a State in the absence of a statute effectively providing for federal immunity, and it did this by imposing an exclusionary rule prohibiting the National Government "from making any such use of compelled testimony and its fruits," 378 U.S. at 79 (footnote omitted).

United States v. Cimino, 2014 U.S. Dist. LEXIS 155236 (S.D.N.Y. Oct. 27, 2014):

When a witness has been granted immunity from prosecution, she lacks a reasonable fear of prosecution. Furthermore, principles of federalism require that immunity conferred by one sovereign within the United States — either the federal government or a state — extends to all sovereigns within the United States (including the federal government). *Murphy v. Waterfront Comm'n of New York Harbor*, 378 U.S. 52, 79, 84 S. Ct. 1594, 12 L. Ed. 2d 678 (1964). *United States v. Balsys*, 524 U.S. 666, 680, 118 S. Ct. 2218, 141 L. Ed. 2d 575 (1998).

United States v. Poindexter, 698 F. Supp. 300, 306 (D.D.C. 1988)

The Supreme Court in *Kastigar v. United States*, 406 U.S. 441, 32 L. Ed. 2d 212, 92 S. Ct. 1653 (1972), sustained the constitutionality of the use immunity statute, holding that the scope of "use and derivative use" immunity was indeed "coextensive with the scope of the Fifth Amendment privilege against compulsory self-incrimination." *Id.* at 448, 453. In *Kastigar*, the Court relied heavily on the logic and language of *Murphy v. Waterfront Commission*, 378 U.S. 52, 12 L. Ed. 2d 678, 84 S. Ct. 1594 (1964). Justice Harlan, concurring in *Murphy*, succinctly stated the rule set up in that case, commenting that a state grant of immunity prohibits the use in a federal prosecution "of state-compelled incriminating evidence or the 'fruits' directly attributable thereto." *Id.* at 91, n.7 This "exclusionary rule," the Court stated, "leaves the witness and the Federal Government in substantially the same position as if the witness had

claimed his privilege in the absence of a state grant of immunity." Id. at 79.

Kastigar, in reaffirming this "exclusionary rule" concept, emphasized the "heavy burden" of proof it places on the United States by stating: HN5"Once a defendant demonstrates that he has testified, under a . . . grant of immunity, [**14] to matters related to the federal prosecution, the federal authorities have the burden of showing that they had an independent, legitimate source for the disputed evidence." "This burden of proof, which we reaffirm as appropriate, is not limited to the negation of taint; rather it imposes on the prosecution the affirmative duty to prove that the evidence it proposes to use is derived from a legitimate source wholly independent of the compelled testimony." Id. 406 U.S. at 460 (Citations omitted) (Emphasis added). See also Murphy, 378 U.S. at 79 n.18; Pillsbury Co. v. Conboy, 459 U.S. 248, 249-255, 74 L. Ed. 2d 430, 103 S. Ct. 608 (1983).

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IN THE CIRCUIT COURT
FOR BALTIMORE CITY

STATE OF MARYLAND

v.

OFFICER CAESAR GOODSON

Defendant.

CRIMINAL NO. 115141032

...00000...

**MOTION TO QUASH TRIAL SUBPOENA
OF OFFICER WILLIAM PORTER**

Comes NOW Witness Officer William G. Porter and hereby moves this Honorable Court to quash his trial subpoena in the case at bar, and in support thereof states as follows:

I. RELEVANT FACTS

PROCEDURAL POSTURE

Baltimore City Police Officer William Porter (hereafter "Officer Porter") has been charged with Manslaughter, Second Degree Assault, Reckless Endangerment and Misconduct in Office in Baltimore City Circuit Court Case Number 115141037. The undersigned are counsel for Porter in that case. The charges involve the in-custody death of Freddie Gray on April 12, 2015. There are six officers charged in the death of Mr. Gray: Officer Porter, Officer Caesar Goodson, Sergeant Alicia White, Officer Garrett Miller, Officer Edward Nero and Lieutenant Brian Rice. All were charged, and indicted, on the same day. As one

Judge was assigned to all six (6) cases, initially there was discussion about which case would go first.¹

On September 15, 2015 the State of Maryland, through Chief Deputy State's Attorney Michael Schatzow wrote to the specially assigned Judge, Judge Barry Williams, and told him that the state would be calling Officer Porter's case first, followed by Goodson, White, Miller, Nero and Rice. Exhibit A. The state's rationale for this was that:

Defendant Porter is a necessary and material witness in the cases against Defendants Goodson and White, so it is imperative that Porter's trial takes place before their trials. Defendant Porter's counsel has known this since before the grand jury returned indictments in these cases.

Id. The Court granted the state its wish, and Officer Porter proceeded to trial first.

THE TRIAL

Jury selection began in Officer Porter's trial on November 30, 2015. Ultimately, the case mistried on December 16, 2015 as the jury were unable to reach a verdict as to any of the four (4) charges placed against Officer Porter. Following the mistrial, this Court set the retrial for June 13, 2016.

During his trial, Officer Porter testified in his defense. During the state's closing argument by Ms Janice Bledsoe, and the rebuttal by Mr. Schatzow, both commented on Officer Porter's credibility, candor and truthfulness. The following

¹ Initially the state moved to consolidate some trials, but eventually the Court found that six (6) separate trials was appropriate.

are not all of the instances when the state, in effect, called Officer Porter a perjurer, but it sets out specific examples that are germane to the decision this Court must make in relation to this Motion:

The State's Opening Closing Argument

[A] during his testimony at trial Officer Porter stated under oath that he heard Freddie Gray say during his initial arrest that he could not breathe. The state's theory at trial, was that Mr. Gray had said this much later. In her closing Ms.

Bledsoe stated that not one of the other witness officers testified that they heard Mr. Gray say during his initial arrest that he could not breathe and went on to assert that "you know why? 'Cause it was never said [during the initial arrest]."

TS 9:53:20.² Ms. Bledsoe's assertion that it was never said leads to the inexorable conclusion that the state was accusing Officer Porter of perjury.

[B] The reason the state believed that Mr. Gray said he could not breathe much later was because of a report of a Detective Teel, who wrote memorialized a conversation she had with Officer Porter. In arguing that Officer Porter is not to be believed, Ms. Bledsoe stated that "who has the motive to be deceitful? It's not Detective Teel. It's Officer Porter." TS 9:54:07.

[C] Officer Porter testified that when he saw Mr. Gray in the back of the police wagon, at Druid Hill and Dolphin, he helped Mr. Gray (who was on the floor) onto

² The "TS" stands for Time Stamp. The State's closing and rebuttal have yet to be transcribed, but the undersigned have watched the video, and transcribed herein, the arguments of counsel as faithfully as possible.

the bench, but that Mr. Gray had power in his legs and bore the weight of his body. In calling Porter a liar, Ms. Bledsoe stated that:

five times [Officer Porter] was asked about it, not once did he say Freddie Gray assisted himself up on the bench. Five times he used words that indicate he put Freddie Gray on the bench. Not once in any of those five times did he say, "it would be physically impossible for me to do that, I did not just put him up on then bench I couldn't do that," not once, but he told you that from the stand.

TS 9:57:40.

[D] Officer Porter testified that he was aware that arrestees often feign injury in the hopes of avoiding a trip to jail. He testified that the term for it that many officers use is "jailitis." Ms. Bledsoe in her closing said that "this jailitis is a bunch of crap." TS 10:09:02.

[E] Officer Porter testified that, when he saw Freddie Gray at Druid Hill and Dolphin he believed that Mr. Gray was not injured. Officer Porter further stated under oath that if he knew Mr. Gray was injured he would have sought immediate medical attention. Ms. Bledsoe, in labeling Officer Porter a perjurer stated that Porter "knew Gray was hurt badly [at Druid Hill and Dolphin], he knew he wasn't going to be accepted at Central Booking and he did nothing." TS 10:10:10.

[F] Officer Porter testified that when Mr. Gray was loaded in the Wagon at Baker and Mount Streets, he did not know whether Mr. Gray was leg shackled or not. Ms. Bledsoe told the jury "he [Porter] knew Freddie Gray was placed into the wagon with handcuffs, leg shackles on..." TS 10:14:35.

[G] Because of the statements of Officer Porter referenced above, Ms. Bledsoe argued to the jury that "there's only one reasonable conclusion, Officer Porter **was not telling the truth** about his involvement in this incident." TS 10:15:15.

[H] After pointing out another statement that the state believed was inconsistent, regarding what Officer Porter told a civilian named Brandon Ross, Ms. Bledsoe again stated "the only reasonable conclusion you can come to is that **Ofc. Porter is not telling the truth.**" TS 10:18:27.

[I] Additionally, Ms. Bledsoe argued to the jury that Officer Porter lied under oath when he stated that on April 12, 2015 he was unaware of a General Order numbered 1114. TS 10:27:08.

[J] Officer Porter testified at trial that he believed the wagon was headed to the hospital at one point, with Mr. Gray inside of it. Ms. Bledsoe, at TS 10:39:45, stated that this was false testimony, because Officer Porter was behind the wagon and new it was headed in a different direction.

The State's Rebuttal

[K] Mr. Schatzow told the jury that "now that the defendant is on trial, he comes into court and **he has lied to you about what happened.**" TS 1:01:15.

[L] Less than a minute later, Mr. Schatzow repeated his assertion that "The state proved through the evidence that he [Porter] lied when he spoke to the [investigative] officers and **he lied on the witness stand.**" TS 1:02:09.³

[M] Mr. Schatzow stated that one of Porter's lies was "how he tried to pretend in his April 17th statement that he was too far away at stop 2, to know what was going on." TS 1:02:43.

[N] Mr. Schatzow stated that Officer Porter misrepresented what he saw when at Baker and Mount Street, asking the jury "what was he trying to cover up, was he trying to cover up his own knowledge of what had happened there?" TS 1:03:50.

[O] While opining on Officer Porter's credibility generally, Chief Deputy Schatzow stated that "you prove that people aren't telling you the truth by showing inconsistencies in their statements. You prove that the statements are inconsistent with each other. You prove that they're telling something that just is, makes no sense at all." TS 1:04:41.

[P] The state's attribution of perjury to Officer Porter was far from subtle:

[the state] proved that what he said at stop two **was a lie** and that this "I can't breath" nonsense that he came up with. You see what he's tried to do in his testimony, every place that he is stuck, every place that he is stuck in his April 17, and every place in his April 15

³ Of course, Mr. Schatzow's assertion that Officer Porter lied to the initial police officers that interviewed him, could lead to additional charges of misconduct in office and obstruction and hindering. See, for example, Cover v. State, 297 Md. 398, 400, 466 A.2d 1276, 1277 (1983) ("[b]oth this Court and the Court of Special Appeals have said that resisting, hindering, or obstructing an officer of the law in the performance of his duties is an offense at common law.")

statement he now comes up with some new explanation for. This business about that at stop 4 Mr. Gray used his own legs to get up. Nonsense. Five, six times on April 17, you'll see "I picked him up and I put him on the bench, I put him on the bench, I put him on the bench". You wont see anything about Freddie Gray using his own muscles, using his own legs.

TS 1:05:54.

[Q] In response to the defense's assertion that Officer Porter's testimony was credible, Mr. Schatzow stated that "[Porter] sits here in the witness stand and he tries to come up with explanations for why he said what he said. But credibility is not an issue in this case, credibility is not an issue, not at all." TS 1:07:21.

[R] While discussing Mr. Porter's contention that Mr. Gray said "I can't breathe" during his initial arrest, Mr. Schatzow tells the jury that the other witnesses "don't say that because **it didn't happen, because it didn't happen.**" TS 1:08:10. If it did not happen then Officer Porter is being directly accused of perjury.

[S] Mr. Schatzow told the jury "this is what you were told, 'you have no reason to not believe defendant Porter.' I have already given you a bunch of reasons, you've heard reason. But the biggest reason of all is he's got something at stake here ladies and gentlemen, he's got motive to lie." TS 1:12:12.

[T] In accusing Officer Porter of lying when he said that he had very little conversation with Officer Goodson at Dolphin and Druid Hill, Mr. Schatzow stated that:

But that's like the [Baker and Mount] thing where, he can't identify his own shift commander that's sitting right in front of his face, that's

not a cover up, **that's not trying to hide the truth**, that's not trying to throw the investigators off. Naw, Naw that's not what that is.

TS 1:15:33.

While there are other examples of both prosecutors impugning William Porter's veracity, the above sets out a sufficient basis for this Motion.

The Subpoena

During Officer Porter's trial, he was handed a subpoena to testify in the trials of both Goodson and White. Exhibit B.

The Federal Investigation

Counsel have spoken with the members of the Civil Rights Division of the United States Attorney's Office that are investigating the in-custody death of Mr. Gray. As recently as October 22, 2015, the undersigned corresponded with the United States Attorneys involved in the investigation. It is standard practice for the Department of Justice not to be involved prior to the conclusion of the state prosecutions.

Counsel have had a similar experience with the witnesses. In meeting with one witness, that was called at Officer Porter's trial, the undersigned asked him a question and the response received was "the FBI also asked me that question." As such, there is an ongoing, verifiable, Federal investigation into the conduct of Officer Porter and others with regard to the death of Freddie Gray and, at this

time, it is impossible to predict whether this will result in charges in United States District Court.

Significantly: when Officer Porter testified *at his trial* the undersigned observed at least three (3) current members of the United States Attorney's Office for the District of Maryland in attendance, including the United States Attorney himself. It is therefore, surely, undeniable that Officer Porter remains in the sights of the United States.

II. RELIEF SOUGHT

Officer Porter seeks that this Court find that, notwithstanding any grant of immunity by the state, that he cannot be compelled to testify in either the Goodson or White matters, because such testimony would result in the abridgment of his rights under both the state and federal constitutions.

III. THE STATE'S PROPOSAL

On January 6, 2016 this Court proposes to hold a hearing. At said hearing, Officer Porter will assert his rights under state and federal constitutions to decline to testify at the trials of Goodson and White. Following that, the state proposes to give Porter immunity.

The immunity statute in question reads, in relevant part, as follows:

(b)(1) If a witness refuses, on the basis of the privilege against self-incrimination, to testify or provide other information in a criminal prosecution or a proceeding before a grand jury of the State, and the court issues an order to testify or provide other information under

subsection (c) of this section, the witness may not refuse to comply with the order on the basis of the privilege against self-incrimination.

(2) No testimony or other information compelled under the order, and no information directly or indirectly derived from the testimony or other information, may be used against the witness in any criminal case, except in a prosecution for perjury, obstruction of justice, or otherwise failing to comply with the order.

(c)(1) If an individual has been, or may be, called to testify or provide other information in a criminal prosecution or a proceeding before a grand jury of the State, the court in which the proceeding is or may be held shall issue, on the request of the prosecutor made in accordance with subsection (d) of this section, an order requiring the individual to give testimony or provide other information which the individual has refused to give or provide on the basis of the individual's privilege against self-incrimination.

(2) The order shall have the effect provided under subsection (b) of this section.

(d) If a prosecutor seeks to compel an individual to testify or provide other information, the prosecutor shall request, by written motion, the court to issue an order under subsection (c) of this section when the prosecutor determines that:

(1) The testimony or other information from the individual may be necessary to the public interest; and

(2) The individual has refused or is likely to refuse to testify or provide other information on the basis of the individual's privilege against self-incrimination.

Md. Code § 9-123. The state believes that, under the grant of immunity conferred on by this section, Officer Porter will have no Fifth Amendment Privilege, and will have to answer the questions, under penalty of contempt.

While it is known to the Court and the parties - - but may not be by the reader of this Motion - - the state fully intends to go forward with Officer Porter's

retrial on June 13, 2016 - - but in the interim seeks to compel him as a witness in their cases against Officer Goodson and Sergeant White.

IV. PORTER CANNOT BE COMPELLED TO TESTIFY

(a) Summary of the argument

The Fifth Amendment to the U.S. Constitution declares in part that "No person ... shall be compelled in any criminal case to be a witness against himself." U.S. Const., 5th Amend. The Fifth Amendment creates a privilege against compelled disclosures that could implicate a witness in criminal activity and thus subject him or her to criminal prosecution. *Hoffman v. United States*, 341 US 479, 486-488, 71 S.Ct. 814, 818-819 (1951). The privilege against self-incrimination is a *constitutionally-based* privilege—not an evidentiary privilege.

While Porter has many valid reasons as to why he cannot be compelled to testify, the overarching principle is that the judicial system is built on trust and respect of the public and relies on that trust and respect for effectiveness. "It is of fundamental importance that justice should not only, but should manifestly and undoubtedly be seen to be done." *Rex v. Sussex Justices*, 1 K.B. 256, 259 (1924). Similarly, the United States Supreme Court has said that trials themselves are "a reflection of the notion, deeply rooted in the common law, that 'justice must satisfy the appearances of justice,'" *Levine v. United States*, 362 U.S. 610, 616 (1960) (quoted source omitted), and that the perception of fairness of trials and judicial acts is essential to the effectiveness of the system itself. See

Richmond Newspapers, Inc. v. Virginia, 448 U.S. 555 (1980) (Brennan, J., concurring). Frankly, calling Porter as a witness in two (2) trials, about the same matters upon which he faces a pending manslaughter trial, wreaks of impropriety.

On a related point: on September 15, 2015 the state told this Court that it was "imperative" that Porter be tried first. Implicitly, maybe even explicitly, the state acknowledged in this pleading that Porter had to go first in order that he not have a Fifth Amendment Privilege. If the state truly believes that Porter can be called as a witness, with a pending manslaughter charge, why was it "imperative" that Officer Porter go first?

Concomitantly, America has racked up masses of jurisprudence in its independence. Indeed, as argued herein, Maryland had a running start with English jurisprudence pre-1776 as precedent. So, for example, plug "bear wrestling" into Westlaw and you'll find statutes from Louisiana (La. Stat. Ann. § 14:102.10), Oklahoma (Okla. Stat. Ann. Tit. 21, § 1700), Missouri (Mo. Ann. Stat. § 578.176) and Arkansas (Ark. Code Ann. § 5-62-124). You'll find cases from around the country discussing whether bear wrestling (or the undersigned's favorite: boxing with a kangaroo) constitutes animal cruelty, or is unconstitutionally vague. In short: the courts of this land have tackled almost every conceivable issue. And yet, the silence is deafening when it comes to one defendant with a pending homicide trial being compelled to testify against another defendant about the same event, over his objection. There is a reason for that: it effectively renders the Fifth Amendment all but meaningless.

(b) A grant of immunity by this Court in this case will not put Officer Porter in the same position

A grant of immunity must provide a protection coextensive with the Fifth Amendment, as required by *Kastigar*. The State attempted to impeach Officer Porter during his mistrial, and to do so, the State presented a theory during Officer Porter's trial which alleged that Officer Porter lied and attempted to cover up facts when giving a statement to police officers, and when taking the stand in his own defense. Effectively, the State wishes to compel Porter, through the farce of a grant of immunity, to lay a foundation for evidence that the State has deemed as constituting an obstruction of justice and perjury.

Perjury, of course, has no statute of limitations. Md. Crim. Code § 9-101(d). So Officer Porter can be charged with it as and when the state chooses to. It is also important to note that Md. Crim. Code § 9-101(c)(1) states that if a defendant gives two contradictory statements, the state does not have to prove which is false, it is enough that both statements under oath cannot be true. As such, if Officer Porter were to testify in Officer Goodson or Sergeant White's trial (or both) something that the state believes is inconsistent with his trial testimony, the state would not have to prove which is false, and all the immunity the state could confer would be rendered meaningless.

Further: a defendant, of course, always has a right to testify in his defense. At the bench during Officer Porter's trial the Court went to great lengths to inform

Officer Porter of his absolute right to testify and the corresponding right to remain silent. That said "a person convicted of perjury may not testify." Md. Code 9-104. As such, calling Officer Porter as a witness in the Goodson/White trials may result in him being stripped of his ability to testify at his own trial. Again, all the immunity in the world can do nothing to alleviate this concern.

MD. CODE, CTS. & JUD. PROC. § 9-123, "Privilege against self-incrimination provides:

(b)(1) If a witness refuses, on the basis of the privilege against self-incrimination, to testify or provide other information in a criminal prosecution or a proceeding before a grand jury of the State, and the court issues an order to testify or provide other information under subsection (c) of this section, the witness may not refuse to comply with the order on the basis of the privilege against self-incrimination.

(2) No testimony or other information compelled under the order, and no information directly or indirectly derived from the testimony or other information, may be used against the witness in any criminal case, except in a prosecution for **perjury, obstruction of justice**, or otherwise failing to comply with the order.

(Emphasis supplied). In addition, the Supreme Court ruled in *Kastigar* that a witness may be compelled to testify when given use and derivative use immunity, if after the immunity is granted, the immunity leaves the witness in the same position, as if the witness had simply claimed the privilege. *Kastigar v. United States*, 406 U.S. 441 (1972); see also *Murphy v. Waterfront Comm'n of New York Harbor*, 378 U.S. 52, 79 (1964) *abrogated by United States v. Balsys*, 524 U.S. 666 (1998). Thus, the Maryland statute and *Kastigar* are directly inapposite to the State's theory that Officer Porter committed an obstruction of justice during his

taped statement and Officer Porter committed perjury when he took the stand in his defense at trial.

Courts have agreed, that "[t]he exception in the immunity statute allows the use of immunized testimony only in prosecutions for future perjury, future false statements, and future failure to comply with the immunity order, not for past acts." *Matter of Grand Jury Proceedings of Aug., 1984*, 757 F.2d 108 (7th Cir. 1984). Truthful testimony under a grant of immunity may not be used to prosecute the witness for false statements made earlier. *In re Grand Jury Proceedings*, 819 F.2d 981 (11th Cir. 1987). Thus, based on the State's blatant impeachment of Officer Porter during his trial, the State is effectively presented with a Hobson's choice. The State either has to retract their previous theory, and admit that Officer Porter was truthful, or the State has to recognize that the grant of immunity would be a farce – that is, the State's grant of immunity would be coaxing Officer Porter into committing what the State believes is perjury and an obstruction of justice, both of which are crimes that falls outside the scope of immunity granted in the immunity statute. MD. CODE, CTS. & JUD. PROC. § 9-123. Such a farcical grant of immunity would fly in the face of *Kastigar's* holding that a witness may be compelled to testify when given use and derivative use immunity, if after the immunity is granted, the immunity leaves the witness in the same position, as if the witness had simply claimed the privilege. 406 U.S. 441.

An analogous scenario is found in *United States v. Kim*, 471 F. Supp. 467 (D.D.C. 1979). *Kim* held that when a defendant was found to have given a

perjurious response to a congressional committee's question, and then that same defendant is granted use and derivative use immunity to answer the same question, such a grant was not coextensive with scope of privilege that must be provided under *Kastigar*, as it could have resulted in the infliction of criminal penalties. *U.S. v. Kim* is similar to Officer Porter's scenario in that the prosecution cannot first allege that Porter has provided perjured testimony/committed obstructions of justice, and then thereafter grant immunity to suborn the very same testimony that was allegedly perjured. To summarize: "[i]t is well-established in federal courts that the privilege against self-incrimination can properly be invoked based on fear of a perjury prosecution arising out of conflict between statements sought to be compelled and prior sworn testimony." *Johnson v. Fabian*, 735 N.W.2d 295, 310-11 (Minn. 2007) (citing other cases).

Further: each additional statement by Officer Porter would be live tweeted and reported upon, resulting in an inability to receive a fair trial. Notably, this is a matter in which 100% of the jury panel was aware of the case. Likely the same percentage of a new panel would have at least some knowledge of preceding case(s). If Officer Goodson or Sergeant White were to be acquitted it is all but inevitable that jurors would conclude that Porter - - the star witness - - was not credible. If convicted, the jurors will assume that Officer Porter has knowledge of inculpatory acts that he has now revealed when granted immunity. Commentators will likely opine as to this regardless of the outcome of each trial.

Officer Porter's statement at his trial was unquestionably voluntary, and his statements to F.I.T. and Detective Teel were found by the Court to be voluntary. Contrarily, Officer Porter's potential statements in Officer Goodson's trial and Sgt. White's trial would not be. Officer Porter would thereby be subjected to jurors with some knowledge of the substance of his compelled statements. Parsing out whether a juror's knowledge of Officer Porter's previous testimony was from the initial voluntary statements, or the later compelled statements would not be possible in voir dire. A mini-Kastigar hearing would be required for each juror.⁴

Moreover, in Officer Porter's trial, and any retrial, the witness were and can be sequestered. The reason for this is obvious, that each witness should testify about his or her recollection, untainted by what every other witness said. And while the Court can compel witnesses at Officer Porter's trial from learning what the other witnesses have testified to, it can scarcely prohibit people from following accounts of Officer Porter's testimony in the Goodson and White trials.

If this Court buys what the state is selling, why wouldn't a prosecutor do it in every case? It is all too common that more than one person is charged with any given homicide. Because of a host of reasons, the cases are often severed or not joined. Why would an enterprising prosecutor not say "you know what, Defendant B may testify in his trial. So I'll give him immunity and call him as a witness in Defendant A's trial. I'll see how he responds to questions, get an advance preview of what he's going to say, get a feel for how to cross him,

⁴ See the related *Poindexter* argument below.

whether to offer him a plea, sure I can't use what he says, but they can't make me forget it, there's no prohibition against me getting a transcript, no brainer, right?" This is exactly the kind of harm the Eighth Circuit saw, when holding that "[s]uch use could conceivably include assistance in focusing the investigation, deciding to initiate prosecution, refusing to plea-bargain, interpreting evidence, planning cross-examination, and otherwise generally planning trial strategy." *United States v. McDaniel*, 482 F.2d 305, 311 (8th Cir. 1973).

A later *Kastigar* will be insufficient to remedy Officer Porter's testimony at two trials. As Officer Porter has "not yet delivered the...material, and he consistently and vigorously asserted his privilege. Here the 'cat' was not yet 'out of the bag' and reliance upon a later objection or motion to suppress would 'let the cat out' with no assurance whatever of putting it back." *Maness v. Meyers*, 419 U.S. 449, 463, 95 S. Ct. 584, 593, 42 L. Ed. 2D 574 (1975).

Should this Court give the state its imprimatur to make an end run around self-incrimination, the preceding sentence is a preview of coming attractions. "[E]ven if the sole purpose in calling a witness is other than subterfuge, the questioning by a party of its own witness concerning an "independent area of inquiry" intended to open the door for impeachment and introduction of a prior inconsistent statement could be found improper." *Walker v. State*, 373 Md. 360, 386, 818 A.2d 1078, 1093 (2003)

Mr. Schatzow will surely not ask Officer Porter the same questions six months later as he did the first go around. Even if he did, it is inconceivable that

Officer Porter will answer them the same way. All good cross examination is palimpsest, it builds on what you already know. To allow the state to have two (2) more runs at Officer Porter, prior to his retrial, is anathema to our notions of the right to remain silent.

The Maryland statute on immunity states that "if a witness refuses...the witness may not refuse to comply...may be used against the witness...if a witness refuses to comply..." Id. (emphasis supplied). The statute is designed for people without skin in the game: witnesses. Not Officer Porter.

To be sure: there are ways of compelling someone that the state believes to be less culpable in a criminal act to testify at the other's trial. *People v. Brunner*, 32 Cal. App. 3d 908, 911, 108 Cal. Rptr. 501 (CA Ct. App. 1973).

California sensibly holds that:

where, as here, the defendant properly invokes the privilege against self-incrimination in a felony proceeding and is compelled by invocation of [the California Immunity Statute] to testify to matters which tend to incriminate him as to presently charged offenses, he may not be prosecuted for them, notwithstanding that his testimony is not used against him.

People v. Campbell, 137 Cal. App. 3d 867, 187 Cal. Rptr. 340 (CA Ct. App.

1982).⁵ Accord *People v. Matz*, 68 Cal. App. 4th 1216, 80 Cal. Rptr. 2D 872, 875 (1998).

⁵ Again, California holds that, under its statute "The measure of what incriminates defines the offenses immunized. Thus, the inference ("link") from compelled testimony to implicated offense serves to identify and hence define the offense immunized from prosecution." *People v. Campbell*, 137 Cal. App. 3d 867, 874, 187 Cal. Rptr. 340 (CA Ct. App. 1982) (emphasis in the original).

(c) Porter has not been immunized federally

As this Court is aware:

The assistant United States attorney testified that she too was authorized to grant [a witness] immunity from any federal prosecution within the...District [that that Federal prosecutor practices in] based upon his testimony or the fruits thereof. She also indicated that the immunity she was offering was not immunity under the federal immunity statute, 18 U.S.C. §§ 6001–03 (1982), which requires federal judicial approval, but rather immunity granted solely under the authority of her office and without the approval of a federal judge.

State ex rel. Munn v. McKelvey, 733 S.W.2d 765, 767 (Mo. 1987). Of course, Federal prosecutors and Judges also have the ability pursuant to 18 U.S.C. §§ 6001–03 to grant a more formal immunity.

Neither such Orders have been provided in this case. And that notwithstanding, as stated earlier, that the United States Department of Justice is very much aware and monitoring all that is going on in the case at bar.

As the Court is aware, and as will be discussed further later, when the United States Government becomes aware of immunized testimony it typically develops a "taint" team.⁶ The undersigned provides two (2) examples for the purposes of making a record in this case.

1) the undersigned both represented correctional officers that were accused of beating an inmate. The officers, and others that worked on their shift, were compelled to testify in administrative hearings. As a result of this compelled

⁶ Sometimes the respective teams are called "clean" and "dirty."

testimony the Federal Government put a "taint" team in place. The FBI Agents and the United States Department of Justice had two prosecution teams. The first got to read everything. The compelled testimony, the information developed through other sources, all of it. The second got to read only what the first team decided was untainted. So the prosecutors did not know what was said by people compelled to answer questions. Nor were the agents actually proactively investigating the case aware what was said during the compelled statements.

2) Under Federal law a defendant in a capital case has a right to raise mental diseases and defects, not amounting to insanity, to argue that he should not receive a sentence in death. Fed. R. Crim. P. § 12.2. The wrinkle is that the Government has a right to advance notice of it, and the opportunity to get their own assessment. What if a capital defendant, not raising insanity, decides to testify at his guilt phase? Well, any prosecutor worth his salt would surely work that information into his cross. Even if a defendant doesn't testify, it could, almost inadvertently, be brought out through other witnesses. IQ scores, personality disorders, defects that go to an ability to accurately recall events, all would be fair game. So the United States Attorney's Office provides two (2) sets of attorneys. Team 1 tries the case. Team 2 receives the mental health disclosure from the defense, hires their own experts, files whatever challenges they believe may lie. And, here's the important part, Team 2 does not share anything that they are doing with Team 1 unless and until said mental health evidence becomes a factor at the penalty phase of the trial.

These two examples are provided solely to point out that there are no such dichotomous participants in this case. The same prosecutors that presented the case to the grand jury, participated in pretrial hearings, and tried Officer Porter's case are now seeking to compel his testimony in the trials of two others, and will be counsel of record when Porter round 2 commences. No walls will be erected around this testimony, the spill over effect will be instantaneous and indellible. For that reason alone this Court must disallow the calling of Officer Porter as a witness.

(d) The state would be suborning perjury

Firstly, it will surely have escaped no-one's notice that Maryland does not allow for a prosecutor or a Court to immunize perjury. Which makes sense from a societal standpoint: 'here's your immunity, now go say whatever you want' is scarcely in the public interest. So, whatever grant this Court makes will have no effect on the ability of the State of Maryland to charge Officer Porter with perjury later.

If Officer Porter is compelled to testify at Goodson trial, and were to testify differently from his own trial: it is surely axiomatic that he would have committed perjury during at least one of the trials. However, even if he testifies consistently with his previous trial: as narrated above the prosecution already believes he has committed multiple instances of perjury. And, as detailed below, what is of crucial importance is what they, the state, believe.

The state's commenting on Officer Porter's testimony would be admissible in Goodson and White's trial as an admission of a party oponent. See, for example, *Wisconsin v. Cardenas-Hernandez*, 219 Wis. 2d 516, 529, 579 N.W.2d 678, 684 (1998) (collecting cases).

Similar situations

The Tennessee Bureau of Investigation investigated a Tri-Cities attorney for perjury, after he was accused of advising one of his clients to "lie under oath" in a DUI case. The lawyer sent the following email to the client, "they won't have anyone there to testify how much you had to drink. You won't be charged with perjury. I've never seen them charge anyone with perjury, and everybody lies in criminal cases, including the cops. If you want to tell the truth, then we'll just plead guilty and you can get your jail time over with."⁷

In *State Bar of Cal. v. Jones*, 208 Cal. 240, 280 P. 964 (1929), the Supreme Court of California held that a one-year suspension from practice for attorney's attempt to cause miscarriage of justice through inducing clients to give perjured testimony was not an excessive penalty.

In *Premium Pet Health, LLC v. All American Proteins, LLC, et al.* the Court reprimanded counsel for suborning perjury by submitting an affidavit stating that counsel did not have relevant materials, after counsel deleted all of the relevant

⁷ Available at <http://crimlaw.blogspot.com/2005/12/from-dont-leave-written-evidence-of.html>

materials the day before. The judge took particular issue with this turn of events, since Bryan Cave partner Randall Miller was aware of this before he filed an affidavit that denied this, “[Miller] reviewed the Landers Affidavit and filed it ... thereby suborning perjured testimony ... Miller also failed to alert the Court or opposing counsel to the spoliation that Bryan Cave had ordered the day before, another clear violation of professional and ethical obligations.”⁸

In *Tedesco v. Mishkin*, an attorney, against whom sanctions were sought both as an attorney and as a litigant in a securities action, suborned perjury of witness in violation of 18 U.S.C.A. § 1622 and aided and abetted witness to commit perjury in violation of 18 U.S.C.A. §§ 2, 1621 by not advising witness, after hearing his proposed testimony and knowing it to be false, against testifying in that manner. *Tedesco v. Mishkin*, 629 F. Supp. 1474 (S.D.N.Y. 1986). The attorney's later telling witness to do what he had to do was insufficient to stop witness from carrying out agreement given attorney's knowledge that witness would go to drastic lengths to protect attorney. *Id.*

The harm to due process

The relevant law governing a prosecutor's use of perjured testimony is set forth in *Napue v. Illinois* (1959):

[I]t is established that a conviction obtained through use of false evidence, known to be such by representatives of the State, must fall

⁸ Available at <http://abovethelaw.com/2015/06/biglaw-partner-and-associate-destroyed-evidence-suborned-perjury/2/>.

under the Fourteenth Amendment. The same result obtains when the State, although not soliciting false evidence, allows it to go uncorrected when it appears.

The principle that a State may not knowingly use false evidence, including false testimony, to obtain a tainted conviction, implicit in any concept of ordered liberty, does not cease to apply merely because the false testimony goes only to the credibility of the witness. The jury's estimate of the truthfulness and reliability of a given witness may well be determinative of guilt or innocence, and it is upon such subtle factors as the possible interest of the witness in testifying falsely that a defendant's life or liberty may depend.

360 U.S. 264, 269 (citations omitted.) Accordingly, *State v. Yates*, decided by the Supreme Court of New Hampshire, presents a legal scenario that is analogous to that of the instant matter. 629 A.2d 807, 809 (1993). In *Yates*, the prosecutor reasonably believed that a witness presented false testimony when the witness denied any involvement in illicit drugs, and that witness' false testimony was integral to the conviction of the defendant. Id. The defendant's "entire defense depended on the premise that [the witness] owed [the defendant] money from a cocaine sale." Id. The prosecutor knew before trial that the witness had recently been indicted for drug possession, yet, the prosecutor failed to correct the witness' statement when the witness denied any involvement in illicit drugs.

Importantly, the *Yates* court stated that one does not need to prove that the prosecutor had *actual knowledge* of the uncorrected false testimony; one "need only show that the prosecutor *believed* [the witness'] testimony was probably false." See *May v. Collins*, 955 F.2d 299, 315 (5th Cir.), *cert. denied*, 504 U.S.

901 (1992); *United States v. Mills*, 704 F.2d 1553, 1565 (11th Cir. 1983), *cert. Denied*, 467 U.S. 1243 (1984); *cf. Giglio v. United States*, 405 U.S. 150, 154 (1972) (knowledge of one attorney in prosecutor's office attributed to other attorneys in office). The Supreme Court of New Hampshire ultimately held that a lawyer's duty of candor to the tribunal "is neglected when the prosecutor's office relies on a witness's denial of certain conduct in one case after obtaining an indictment charging the witness with the same conduct in another case." *Yates*, 629 A.2d at 809.⁹ For the prosecution to offer testimony into evidence, knowing it or believing it to be false is a violation of the defendant's due process rights. *Mills*, 704 F.2d at 1565 *citing United States v. Sutherland*, 656 F.2d 1181, 1203 (5th Cir.), *cert. denied*, 455 U.S. 949 (1981); *United States v. Brown*, 634 F.2d 819, 827 (5th Cir. 1981). As noted by the District of Columbia Court of Appeals, "the nondisclosure of false testimony need not be willful on the part of the prosecutor to result in sanctions." *Hawthorne v. United States*, 504 A.2d 580, 591 n. 26 (D.C. 1986) *citing Giglio v. United States*, 405 U.S. at 154.

⁹ The parallel rule in Maryland is Maryland Rule 16-812, Maryland Rule of Professional Conduct 3.3 "Candor Toward the Tribunal," which provides:

(a) A lawyer shall not knowingly:

(1) make a false statement of fact or law to a tribunal or fail to correct a false statement of material fact or law previously made to the tribunal by the lawyer;

(2) fail to disclose a material fact to a tribunal when disclosure is necessary to avoid assisting a criminal or fraudulent act by the client;

(4) offer evidence that the lawyer knows to be false. If a lawyer has offered material evidence and comes to know of its falsity, the lawyer shall take reasonable remedial measures.

So while Officer Porter one "need only show that the prosecutor *believed* [the witness'] testimony was probably false," he need go no further than the factual summary above to evince that both Ms. Bledsoe and Mr. Schatzow stated unambiguously that what Officer Porter said was demonstrably false.

There is no way around this

It is of no moment if the state makes claims that Officer Porter is very unlikely to be prosecuted for any statement he might make at the White / Goodson trials. That is because:

We find no justification for limiting the historic protections of the Fifth Amendment by creating an exception to the general rule which would nullify the privilege whenever it appears that the government would not undertake to prosecute. Such a rule would require the trial court, in each case, to assess the practical possibility that prosecution would result from incriminatory answers. Such assessment is impossible to make because it depends on the discretion

United States v. Miranti, 253 F.2d 135, 139 (2nd Cir.1958) (cited with approval in *Choi v. State*, 316 Md. 529, 539 (1989)).

Even if (which they cannot) the state could somehow confine their direct questioning to areas in which they have never levied a perjury accusation against Officer Porter, this would still not solve the issue.

This is because "a judge must allow a defendant wide latitude to cross-examine a witness as to bias or prejudices." *Smallwood v. State*, 320 Md. 300,

307-08, 577 A.2d 356, 359 (1990). Accordingly, whatever narrow focus the state may decide to employ in an attempt to cure the unconstitutional ill set out herein, nothing would bind counsel for Goodson and White from a much wider foray on cross-examination. And, in the event that Officer Porter withstands their cross with his reputation intact, the prosecutors could then become character witnesses to impugn his veracity (see further below).

To allow Porter to testify, is likely to result in him being unavailable for cross-examination. While the state may give him immunity, the defense cannot. And any new areas that they enquire into are likely to result in Porter declining to answer. No part of any statement Porter has ever given can be used if he is unavailable for cross-examination. *Crawford v. Washington*, 541 U.S. 36, 124 S.Ct. 1354, 158 L.Ed.2d 177 (2004); *State v. Snowden*, 385 Md. 64, 867 A.2d 314 (2005).

(e) The cases cited by the State

They do not stand for the proposition that Officer Porter can be compelled to testify

The state principally relies on *United States v. Balsys*, 524 U.S. 666, 680-682 (1998). There are several points to make about this case. Firstly, even the portions that the state relies on cannot be said to be anything more than *dicta*. The holding of *Balsys* was that “[w]e hold that concern with foreign prosecution is beyond the scope of the Self-Incrimination Clause.” *Id.* at 669.

Balsys was an immigration case. *Balsys* was not given any immunity, and so is dissimilar to the case at bar. And *Balsys*' purported fear was that he might be prosecuted in "Lithuania, Israel and Germany." *Id.* at 670. Of course, no prosecution at that time was pending, indeed there was nothing in the record that Lithuania had had any contact with the defendant since his immigration from that country 37 years earlier. The Supreme Court distilled the issue into one sentence: could *Balsys* "demonstrate that any testimony he might give in the deportation investigation could be used in a criminal proceeding against him brought by the Government of either the United States or one of the States, [then] he would be entitled to invoke the privilege." Here: Officer Porter has demonstrated, **conclusively**, that there is an ongoing investigation by the United States.

Moreover, *Balsys* reiterates that "the requirement to provide an immunity as broad as the privilege itself." As stated herein, given that the same prosecutors will take Mr. Porter's testimony not once: but twice - - in the trials of Goodson and White, will then cross-examine Officer Porter again at his retrial, he will not, and cannot be, placed in the same position as if he had never testified. The state gets an advantage, and what Mr. Schatzow learns of Officer Porter's knowledge during the compelled testimony during the trials of Goodson and White cannot be unknown to him on June 13, 2016.

Further, what the state is in effect asking this Court to find is that as a matter of Federal law, Officer Porter's testimony at the Goodson and White trials cannot be used against him later. Respectfully, this matter is proceeding in the Circuit Court for Baltimore City, and this Court cannot make such an inferential leap as to what a separate sovereign may decide in the future.

Following *Balsys*, the state next cites *United States v. Cimino*, 2014 U.S. Dist. LEXIS 155236 (10/29/14). Firstly, an unreported United States District Court decision from another circuit is scarcely a reason for this Court to make law that flies in the face of 12 score years of Anglo-Maryland jurisprudence. Secondly, the reluctant witness in *Cimino* was an "agent of the FBI...carrying out the controlled buys orchestrated by the Bureau." *Id.* at 5. This is a world away from the case at bar. While the *Cimino* witness may have had a snowball's chance in hell of being prosecuted, no matter what she said, Officer Porter has already been tried once for homicide, with another to follow anon. Lastly, in *Cimino*:

However, the immunity arguments pressed on this Court by defendant are of no relevance to the case at bar. The informant has not been immunized by anyone, for anything. She has no agreement that requires any sovereign to forbear from prosecuting her for any crimes she may commit, including crimes committed during the course of her work as an informant

Id. at 11-12. Thus, the portion cited by the state cannot be said to be anything other than unreported, non-binding, *dicta*.

The third case in the state's trifecta of cases it cited is *United States v. Poindexter*, 698 F. Supp. 300 (D.D.C. 1988). The primary thrust of the case concerns the steps taken by grand jury members to avoid learning of immunized testimony given at Congress, prior to their returning of an indictment. That is night-and-day from what we have here. The reason *Poindexter* supports Officer Porter's position, however, is that:

there must be noted several administrative steps which were taken by Independent Counsel from an early date to prevent exposure of himself and his associate counsel to any immunized testimony. Prosecuting personnel were sealed off from exposure to the immunized testimony itself and publicity concerning it. Daily newspaper clippings and transcripts of testimony before the Select Committees were redacted by nonprosecuting "tainted" personnel to avoid direct and explicit references to immunized testimony. Prosecutors, and those immediately associated with them, were confined to reading these redacted materials. In addition, they were instructed to shut off television or radio broadcasts that even approached discussion of the immunized testimony. A conscientious effort to comply with these instructions was made and they were apparently quite successful. In order to monitor the matter, all inadvertent exposures were to be reported for review of their possible significance by an attorney, Douglass, who played no other role in the prosecution after the immunized testimony started...Overall, the file reflects a scrupulous awareness of the strictures against exposure and a conscientious attempt to avoid even the most remote possibility of any impermissible taint.

Id. at 312-313. It is therefore, readily apparent that the prosecution team in *Poindexter* went out of their way to avoid learning anything - - let alone anything of consequence - - from the immunized testimony. In the case at bar, however, there is but one prosecution team. The same people that crossed Officer Porter last time will be in the room when he is called as a witness next time, and the

time after that and, potentially, a fourth time at his retrial. The state's failing to Chinese wall the different prosecutions means that they cannot now remove the indellible taint.

Even if the cases said what the state believes they say, Officer Porter has a separate right not to testify under the Maryland Declaration of Rights

Assuming, *arguendo*, that *Murphy* signaled a sea change in *federal* constitutional jurisprudence in its ruling that the *federal* constitutional privilege against self-incrimination protects a state witness against incrimination under *federal and state law*, and a federal witness against incrimination under *state and federal law*. *Murphy*, 378 U.S. 52, 78. Very importantly, in making its decision, the *Murphy* Court discussed, in detail, two English common law cases decided before 1776:

In 1749 the Court of Exchequer decided *East India Co. v. Campbell*, 1 Ves.Sen. 246, 27 Eng.Rep. 1010. The defendant in that case refused to 'discover' certain information in a proceeding in an English court on the ground that it might subject him to punishment in the courts of India. The court unanimously held that the privilege against self-incrimination protected a witness in an English court from being compelled to give testimony which could be used to convict him in the courts of another jurisdiction.

Id. at 58. The Supreme Court also cited *Brownsword v. Edwards*, 2 Ves.sen. 243, 28 Eng.Rep. 157, decided in 1750, one year after *East India Co. v. Campbell*, in which the defendant refused to divulge whether she was lawfully married to a certain individual, on the ground that if she admitted to the marriage she would be confessing to an act which, although legal under the common law, would

render her 'liable to prosecution in ecclesiastical court.' *Murphy*, 378 U.S. 52, 58–59. Thus, as the Supreme Court stated, *Brownsword* applied the ruling from *East India Co.* in a case involving separate systems of courts and law located within the same geographic area.

Why this matters is that the Maryland Declaration of Rights Article 5(a)(1) provides, "That the Inhabitants of Maryland are entitled *to the Common Law of England, . . . as existed on the Fourth day of July, seventeen hundred and seventy-six.*" (Emphasis supplied). Thus, pursuant to Article 5 of the Maryland Declaration of Rights, Maryland common law retains the dual sovereignty doctrine in its entirety, as Maryland retains the rulings set forth in England pre-1776, providing a different protection for its citizens than its federal counterpart.

As stated *supra*, Article 22 of the Maryland Declaration of Rights¹⁰ is the state parallel to the self-incrimination clause of the Fifth Amendment. Counsel has located no case which holds that *Murphy* or *Balsys'* rulings are applicable in Maryland under Article 22 grounds.

Further support is found in *Choi v. State*, 316 Md. 529, 545, 560 A.2d 1108, 1115-16 (1989). Because while a witness may have:

waived her Fifth Amendment privilege, she certainly did not waive her privilege against compelled self-incrimination under Art. 22 of the Maryland Declaration of Rights. Long ago, in the leading case of *Chesapeake Club v. State*, 63 Md. 446, 457 (1885), this Court expressly rejected the waiver rule now prevailing under the Fifth Amendment and adopted the English rule that a witness's testifying

¹⁰ Article 22 states, "[t]hat no man ought to be compelled to give evidence against himself in a criminal case."

about a matter does not preclude invocation of the privilege for other questions relating to the same matter.

Id. This is authority for Officer Porter's contention herein that, while immunity cannot cure his Fifth Amendment concerns, it most certainly cannot assuage his Maryland rights.

Maryland retains the dual sovereignty doctrine in its entirety. *Evans v. State*, 301 Md. 45 (1984) (adopting the dual sovereignty principle as a matter of Maryland common law); see also *Gillis v. State*, 333 Md. 69, 73, 633 A.2d 888, 890 (1993) (holding that “[u]nder the “dual sovereignty” doctrine, separate sovereigns deriving their power from different sources are each entitled to punish an individual for the same conduct if that conduct violates each sovereignty's laws). *Bailey v. State*, 303 Md. 650, 660, 496 A.2d 665, 670 (1985) (stating that “[t]his Court has adopted, as a matter of common law, the dual sovereignty doctrine.”).

Article 22 of the Maryland Declaration of Rights reads that “That no man ought to be compelled to give evidence against himself in a criminal case.” Id. Under Article 22, “[t]he privilege must be accorded a liberal construction in favor of the right that it was intended to secure.” Adkins v. State, 316 Md. 1, 8, 557 A.2d 203, 206 (1989).

Massachusetts Declaration of Rights, Article XII states, similarly, that no one can be “compelled to accuse, or furnish evidence against himself.” And in Massachusetts “[o]nly a grant of transactional immunity” will suffice. Attorney

Gen. v. Colleton, 387 Mass. 790, 801, 444 N.E.2d 915, 921 (1982). Thus, Officer Porter could not be called, were we in Massachusetts, "so long as the witness remains liable to prosecution criminally for any matters or causes in respect of which he shall be examined, or to which his testimony shall relate." Id. at 797.

(e) The state would be making themselves witnesses

There have been only two people that called Officer Porter untruthful. It was not Officer Porter. It was not the Detective Teel, the lead investigator, to the contrary she said he was trying to be candid in her discussions with him. It was not the coroner, nor was it Dr. Lyman, who did not opine as to the reasonableness of Porter's actions. It was not any members of the jury, who presumably at least partly credited his testimony in failing to return a guilty verdict.

The only two (2) persons that have called Officer Porter a liar - - to date - - are Janice Bledsoe and Michael Schatzow. As stated, *supra*, Mr. Schatzow's greatest hits include that Porter "lied to you [the jury] about what happened... lied when he spoke to the [investigative] officers and he lied when he spoke on the witness stand;" while Ms. Bledsoe penned the one hit wonder "Officer Porter was not telling the truth about his involvement in this incident...the only reasonable conclusion you can come to is that Ofc. Porter is not telling the truth." Id. Coming from two deputies in the States Attorney's Office these comments are that much more significant because:

Attorneys' representations are trustworthy, the [The Supreme] Court [has] reasoned, because attorneys are officers of the court, and when they address the judge solemnly upon a matter before the court, their declarations are virtually under oath.

Lettle v. State, 358 Md. 26, 47, 746 A.2d 392, 404 (2000) (internal citations omitted).

If Officer Porter is called to testify in the Goodson and White trial there are two (2) people, and only two (2) people, that can be called to impugn his credibility, Ms. Bledsoe and Mr. Schatzow. Thus, "[i]n order to attack the credibility of a witness, a character witness may testify...that, in the character witness's opinion, the witness is an untruthful person." Md. Rule 5-608.

This presents all sorts of problems because:

MLRPC Rule 3.7(a). The policy behind this rule is succinctly stated in the Comment: "Combining the roles of advocate and witness can prejudice the opposing party and can involve a conflict of interest between the lawyer and client." MLRPC Rule 3.7 cmt. With regard to the mixing of roles, the Comment continues:

The opposing party has proper objection where the combination of roles may prejudice that party's rights in the litigation. A witness is required to testify on the basis of personal knowledge, while an advocate is expected to explain and comment on evidence given by others. It may not be clear whether a statement by an advocate-witness should be taken as proof or as an analysis of the proof.

Id.

Klupt v. Krongard, 126 Md. App. 179, 205-06, 728 A.2d 727, 740 (1999). The advocate-witness rule "assumes heightened importance in a criminal case."

Walker v. State, 373 Md. 360, 397 (2003). In short: calling Officer Porter at the

Goodson and White trials will not only result in his rights being violated, but will necessitate a quagmire in which rights are trampled on all sides in the ensuing free-for-all.

WHEREFORE, for the foregoing reasons and any others that appear to this Court, Officer Porter prays that the Court grant his Motion to Quash the Subpoena he received for the case at bar.

Respectfully Submitted,



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CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of January 2016, a copy of the foregoing was emailed to Chambers and counsel for both the defendant and the state and, on 4th day of January, 2016, a copy of witness William Porter's Motion to Quash the subpoena was hand delivered to Ms. Bledsoe at 120 E. Baltimore Street, 9th Floor, Baltimore MD 21202, and Andrew Graham, One South Street, Suite 2600, Baltimore MD 21202.



GARY E. PROCTOR

IN THE CIRCUIT COURT
FOR BALTIMORE CITY

STATE OF MARYLAND

v.

SERGEANT ALICIA WHITE

Defendant.

CRIMINAL NO. 115141036

...00000...

**MOTION TO QUASH TRIAL SUBPOENA
OF OFFICER WILLIAM PORTER**

Comes NOW Witness Officer William G. Porter and hereby moves this Honorable Court to quash his trial subpoena in the case at bar, and in support thereof states as follows:

I. RELEVANT FACTS

PROCEDURAL POSTURE

Baltimore City Police Officer William Porter (hereafter "Officer Porter") has been charged with Manslaughter, Second Degree Assault, Reckless Endangerment and Misconduct in Office in Baltimore City Circuit Court Case Number 115141037. The undersigned are counsel for Porter in that case. The charges involve the in-custody death of Freddie Gray on April 12, 2015. There are six officers charged in the death of Mr. Gray: Officer Porter, Officer Caesar Goodson, Sergeant Alicia White, Officer Garrett Miller, Officer Edward Nero and Lieutenant Brian Rice. All were charged, and indicted, on the same day. As one

Judge was assigned to all six (6) cases, initially there was discussion about which case would go first.¹

On September 15, 2015 the State of Maryland, through Chief Deputy State's Attorney Michael Schatzow wrote to the specially assigned Judge, Judge Barry Williams, and told him that the state would be calling Officer Porter's case first, followed by Goodson, White, Miller, Nero and Rice. Exhibit A. The state's rationale for this was that:

Defendant Porter is a necessary and material witness in the cases against Defendants Goodson and White, so it is imperative that Porter's trial takes place before their trials. Defendant Porter's counsel has known this since before the grand jury returned indictments in these cases.

Id. The Court granted the state its wish, and Officer Porter proceeded to trial first.

THE TRIAL

Jury selection began in Officer Porter's trial on November 30, 2015. Ultimately, the case mistried on December 16, 2015 as the jury were unable to reach a verdict as to any of the four (4) charges placed against Officer Porter. Following the mistrial, this Court set the retrial for June 13, 2016.

During his trial, Officer Porter testified in his defense. During the state's closing argument by Ms Janice Bledsoe, and the rebuttal by Mr. Schatzow, both commented on Officer Porter's credibility, candor and truthfulness. The following

¹ Initially the state moved to consolidate some trials, but eventually the Court found that six (6) separate trials was appropriate.

are not all of the instances when the state, in effect, called Officer Porter a perjurer, but it sets out specific examples that are germane to the decision this Court must make in relation to this Motion:

The State's Opening Closing Argument

[A] during his testimony at trial Officer Porter stated under oath that he heard Freddie Gray say during his initial arrest that he could not breathe. The state's theory at trial, was that Mr. Gray had said this much later. In her closing Ms. Bledsoe stated that not one of the other witness officers testified that they heard Mr. Gray say during his initial arrest that he could not breathe and went on to assert that "you know why? 'Cause it was never said [during the initial arrest]." TS 9:53:20.² Ms. Bledsoe's assertion that it was never said leads to the inexorable conclusion that the state was accusing Officer Porter of perjury.

[B] The reason the state believed that Mr. Gray said he could not breathe much later was because of a report of a Detective Teel, who wrote memorialized a conversation she had with Officer Porter. In arguing that Officer Porter is not to be believed, Ms. Bledsoe stated that "who has the motive to be deceitful? It's not Detective Teel. It's Officer Porter." TS 9:54:07.

[C] Officer Porter testified that when he saw Mr. Gray in the back of the police wagon, at Druid Hill and Dolphin, he helped Mr. Gray (who was on the floor) onto

² The "TS" stands for Time Stamp. The State's closing and rebuttal have yet to be transcribed, but the undersigned have watched the video, and transcribed herein, the arguments of counsel as faithfully as possible.

the bench, but that Mr. Gray had power in his legs and bore the weight of his body. In calling Porter a liar, Ms. Bledsoe stated that:

five times [Officer Porter] was asked about it, not once did he say Freddie Gray assisted himself up on the bench. Five times he used words that indicate he put Freddie Gray on the bench. Not once in any of those five times did he say, "it would be physically impossible for me to do that, I did not just put him up on then bench I couldn't do that," not once, but he told you that from the stand.

TS 9:57:40.

[D] Officer Porter testified that he was aware that arrestees often feign injury in the hopes of avoiding a trip to jail. He testified that the term for it that many officers use is "jailitis." Ms. Bledsoe in her closing said that "this jailitis is a bunch of crap." TS 10:09:02.

[E] Officer Porter testified that, when he saw Freddie Gray at Druid Hill and Dolphin he believed that Mr. Gray was not injured. Officer Porter further stated under oath that if he knew Mr. Gray was injured he would have sought immediate medical attention. Ms. Bledsoe, in labeling Officer Porter a perjurer stated that Porter "knew Gray was hurt badly [at Druid Hill and Dolphin], he knew he wasn't going to be accepted at Central Booking and he did nothing." TS 10:10:10.

[F] Officer Porter testified that when Mr. Gray was loaded in the Wagon at Baker and Mount Streets, he did not know whether Mr. Gray was leg shackled or not. Ms. Bledsoe told the jury "he [Porter] knew Freddie Gray was placed into the wagon with handcuffs, leg shackles on..." TS 10:14:35.

[G] Because of the statements of Officer Porter referenced above, Ms. Bledsoe argued to the jury that "there's only one reasonable conclusion, Officer Porter **was not telling the truth** about his involvement in this incident." TS 10:15:15.

[H] After pointing out another statement that the state believed was inconsistent, regarding what Officer Porter told a civilian named Brandon Ross, Ms. Bledsoe again stated "the only reasonable conclusion you can come to is that **Ofc. Porter is not telling the truth.**" TS 10:18:27.

[I] Additionally, Ms. Bledsoe argued to the jury that Officer Porter lied under oath when he stated that on April 12, 2015 he was unaware of a General Order numbered 1114. TS 10:27:08.

[J] Officer Porter testified at trial that he believed the wagon was headed to the hospital at one point, with Mr. Gray inside of it. Ms. Bledsoe, at TS 10:39:45, stated that this was false testimony, because Officer Porter was behind the wagon and new it was headed in a different direction.

The State's Rebuttal

[K] Mr. Schatzow told the jury that "now that the defendant is on trial, he comes into court and **he has lied to you about what happened.**" TS 1:01:15.

[L] Less than a minute later, Mr. Schatzow repeated his assertion that "The state proved through the evidence that he [Porter] lied when he spoke to the [investigative] officers and **he lied on the witness stand.**" TS 1:02:09.³

[M] Mr. Schatzow stated that one of Porter's lies was "how he tried to pretend in his April 17th statement that he was too far away at stop 2, to know what was going on." TS 1:02:43.

[N] Mr. Schatzow stated that Officer Porter misrepresented what he saw when at Baker and Mount Street, asking the jury "what was he trying to cover up, was he trying to cover up his own knowledge of what had happened there?" TS 1:03:50.

[O] While opining on Officer Porter's credibility generally, Chief Deputy Schatzow stated that "you prove that people aren't telling you the truth by showing inconsistencies in their statements. You prove that the statements are inconsistent with each other. You prove that they're telling something that just is, makes no sense at all." TS 1:04:41.

[P] The state's attribution of perjury to Officer Porter was far from subtle:

[the state] proved that what he said at stop two **was a lie** and that this "I can't breath" nonsense that he came up with. You see what he's tried to do in his testimony, every place that he is stuck, every place that he is stuck in his April 17, and every place in his April 15

³ Of course, Mr. Schatzow's assertion that Officer Porter lied to the initial police officers that interviewed him, could lead to additional charges of misconduct in office and obstruction and hindering. See, for example, Cover v. State, 297 Md. 398, 400, 466 A.2d 1276, 1277 (1983) ("[b]oth this Court and the Court of Special Appeals have said that resisting, hindering, or obstructing an officer of the law in the performance of his duties is an offense at common law.")

statement **he now comes up with some new explanation for**. This business about that at stop 4 Mr. Gray used his own legs to get up. Nonsense. Five, six times on April 17, you'll see "I picked him up and I put him on the bench, I put him on the bench, I put him on the bench". You wont see anything about Freddie Gray using his own muscles, using his own legs.

TS 1:05:54.

[Q] In response to the defense's assertion that Officer Porter's testimony was credible, Mr. Schatzow stated that "[Porter] sits here in the witness stand and he tries to come up with explanations for why he said what he said. But credibility is not an issue in this case, credibility is not an issue, not at all." TS 1:07:21.

[R] While discussing Mr. Porter's contention that Mr. Gray said "I can't breathe" during his initial arrest, Mr. Schatzow tells the jury that the other witnesses "don't say that because **it didn't happen**, because **it didn't happen**." TS 1:08:10. If it did not happen then Officer Porter is being directly accused of perjury.

[S] Mr. Schatzow told the jury "this is what you were told, 'you have no reason to not believe defendant Porter.' I have already given you a bunch of reasons, you've heard reason. But the biggest reason of all is he's got something at stake here ladies and gentlemen, he's got motive to lie." TS 1:12:12.

[T] In accusing Officer Porter of lying when he said that he had very little conversation with Officer Goodson at Dolphin and Druid Hill, Mr. Schatzow stated that:

But that's like the [Baker and Mount] thing where, he can't identify his own shift commander that's sitting right in front of his face, that's

not a cover up, **that's not trying to hide the truth**, that's not trying to throw the investigators off. Naw, Naw that's not what that is.

TS 1:15:33.

While there are other examples of both prosecutors impugning William Porter's veracity, the above sets out a sufficient basis for this Motion.

The Subpoena

During Officer Porter's trial, he was handed a subpoena to testify in the trials of both Goodson and White. Exhibit B.

The Federal Investigation

Counsel have spoken with the members of the Civil Rights Division of the United States Attorney's Office that are investigating the in-custody death of Mr. Gray. As recently as October 22, 2015, the undersigned corresponded with the United States Attorneys involved in the investigation. It is standard practice for the Department of Justice not to be involved prior to the conclusion of the state prosecutions.

Counsel have had a similar experience with the witnesses. In meeting with one witness, that was called at Officer Porter's trial, the undersigned asked him a question and the response received was "the FBI also asked me that question." As such, there is an ongoing, verifiable, Federal investigation into the conduct of Officer Porter and others with regard to the death of Freddie Gray and, at this

time, it is impossible to predict whether this will result in charges in United States District Court.

Significantly: when Officer Porter testified *at his trial* the undersigned observed at least three (3) current members of the United States Attorney's Office for the District of Maryland in attendance, including the United States Attorney himself. It is therefore, surely, undeniable that Officer Porter remains in the sights of the United States.

II. RELIEF SOUGHT

Officer Porter seeks that this Court find that, notwithstanding any grant of immunity by the state, that he cannot be compelled to testify in either the Goodson or White matters, because such testimony would result in the abridgment of his rights under both the state and federal constitutions.

III. THE STATE'S PROPOSAL

On January 6, 2016 this Court proposes to hold a hearing. At said hearing, Officer Porter will assert his rights under state and federal constitutions to decline to testify at the trials of Goodson and White. Following that, the state proposes to give Porter immunity.

The immunity statute in question reads, in relevant part, as follows:

(b)(1) If a witness refuses, on the basis of the privilege against self-incrimination, to testify or provide other information in a criminal prosecution or a proceeding before a grand jury of the State, and the court issues an order to testify or provide other information under

subsection (c) of this section, the witness may not refuse to comply with the order on the basis of the privilege against self-incrimination.

(2) No testimony or other information compelled under the order, and no information directly or indirectly derived from the testimony or other information, may be used against the witness in any criminal case, except in a prosecution for perjury, obstruction of justice, or otherwise failing to comply with the order.

(c)(1) If an individual has been, or may be, called to testify or provide other information in a criminal prosecution or a proceeding before a grand jury of the State, the court in which the proceeding is or may be held shall issue, on the request of the prosecutor made in accordance with subsection (d) of this section, an order requiring the individual to give testimony or provide other information which the individual has refused to give or provide on the basis of the individual's privilege against self-incrimination.

(2) The order shall have the effect provided under subsection (b) of this section.

(d) If a prosecutor seeks to compel an individual to testify or provide other information, the prosecutor shall request, by written motion, the court to issue an order under subsection (c) of this section when the prosecutor determines that:

(1) The testimony or other information from the individual may be necessary to the public interest; and

(2) The individual has refused or is likely to refuse to testify or provide other information on the basis of the individual's privilege against self-incrimination.

Md. Code § 9-123. The state believes that, under the grant of immunity conferred on by this section, Officer Porter will have no Fifth Amendment Privilege, and will have to answer the questions, under penalty of contempt.

While it is known to the Court and the parties - - but may not be by the reader of this Motion - - the state fully intends to go forward with Officer Porter's

retrial on June 13, 2016 - - but in the interim seeks to compel him as a witness in their cases against Officer Goodson and Sergeant White.

IV. PORTER CANNOT BE COMPELLED TO TESTIFY

(a) Summary of the argument

The Fifth Amendment to the U.S. Constitution declares in part that "No person ... shall be compelled in any criminal case to be a witness against himself." U.S. Const., 5th Amend. The Fifth Amendment creates a privilege against compelled disclosures that could implicate a witness in criminal activity and thus subject him or her to criminal prosecution. *Hoffman v. United States*, 341 US 479, 486-488, 71 S.Ct. 814, 818-819 (1951). The privilege against self-incrimination is a *constitutionally-based* privilege—not an evidentiary privilege.

While Porter has many valid reasons as to why he cannot be compelled to testify, the overarching principle is that the judicial system is built on trust and respect of the public and relies on that trust and respect for effectiveness. "It is of fundamental importance that justice should not only, but should manifestly and undoubtedly be seen to be done." *Rex v. Sussex Justices*, 1 K.B. 256, 259 (1924). Similarly, the United States Supreme Court has said that trials themselves are "a reflection of the notion, deeply rooted in the common law, that 'justice must satisfy the appearances of justice,'" *Levine v. United States*, 362 U.S. 610, 616 (1960) (quoted source omitted), and that the perception of fairness of trials and judicial acts is essential to the effectiveness of the system itself. See

Richmond Newspapers, Inc. v. Virginia, 448 U.S. 555 (1980) (Brennan, J., concurring). Frankly, calling Porter as a witness in two (2) trials, about the same matters upon which he faces a pending manslaughter trial, wreaks of impropriety.

On a related point: on September 15, 2015 the state told this Court that it was "imperative" that Porter be tried first. Implicitly, maybe even explicitly, the state acknowledged in this pleading that Porter had to go first in order that he not have a Fifth Amendment Privilege. If the state truly believes that Porter can be called as a witness, with a pending manslaughter charge, why was it "imperative" that Officer Porter go first?

Concomitantly, America has racked up masses of jurisprudence in its independence. Indeed, as argued herein, Maryland had a running start with English jurisprudence pre-1776 as precedent. So, for example, plug "bear wrestling" into Westlaw and you'll find statutes from Louisiana (La. Stat. Ann. § 14:102.10), Oklahoma (Okla. Stat. Ann. Tit. 21, § 1700), Missouri (Mo. Ann. Stat. § 578.176) and Arkansas (Ark. Code Ann. § 5-62-124). You'll find cases from around the country discussing whether bear wrestling (or the undersigned's favorite: boxing with a kangaroo) constitutes animal cruelty, or is unconstitutionally vague. In short: the courts of this land have tackled almost every conceivable issue. And yet, the silence is deafening when it comes to one defendant with a pending homicide trial being compelled to testify against another defendant about the same event, over his objection. There is a reason for that: it effectively renders the Fifth Amendment all but meaningless.

(b) A grant of immunity by this Court in this case will not put Officer Porter in the same position

A grant of immunity must provide a protection coextensive with the Fifth Amendment, as required by *Kastigar*. The State attempted to impeach Officer Porter during his mistrial, and to do so, the State presented a theory during Officer Porter's trial which alleged that Officer Porter lied and attempted to cover up facts when giving a statement to police officers, and when taking the stand in his own defense. Effectively, the State wishes to compel Porter, through the farce of a grant of immunity, to lay a foundation for evidence that the State has deemed as constituting an obstruction of justice and perjury.

Perjury, of course, has no statute of limitations. Md. Crim. Code § 9-101(d). So Officer Porter can be charged with it as and when the state chooses to. It is also important to note that Md. Crim. Code § 9-101(c)(1) states that if a defendant gives two contradictory statements, the state does not have to prove which is false, it is enough that both statements under oath cannot be true. As such, if Officer Porter were to testify in Officer Goodson or Sergeant White's trial (or both) something that the state believes is inconsistent with his trial testimony, the state would not have to prove which is false, and all the immunity the state could confer would be rendered meaningless.

Further: a defendant, of course, always has a right to testify in his defense. At the bench during Officer Porter's trial the Court went to great lengths to inform

Officer Porter of his absolute right to testify and the corresponding right to remain silent. That said "a person convicted of perjury may not testify." Md. Code 9-104. As such, calling Officer Porter as a witness in the Goodson/White trials may result in him being stripped of his ability to testify at his own trial. Again, all the immunity in the world can do nothing to alleviate this concern.

MD. CODE, CTS. & JUD. PROC. § 9-123, "Privilege against self-incrimination provides:

(b)(1) If a witness refuses, on the basis of the privilege against self-incrimination, to testify or provide other information in a criminal prosecution or a proceeding before a grand jury of the State, and the court issues an order to testify or provide other information under subsection (c) of this section, the witness may not refuse to comply with the order on the basis of the privilege against self-incrimination.

(2) No testimony or other information compelled under the order, and no information directly or indirectly derived from the testimony or other information, may be used against the witness in any criminal case, except in a prosecution for **perjury, obstruction of justice**, or otherwise failing to comply with the order.

(Emphasis supplied). In addition, the Supreme Court ruled in *Kastigar* that a witness may be compelled to testify when given use and derivative use immunity, if after the immunity is granted, the immunity leaves the witness in the same position, as if the witness had simply claimed the privilege. *Kastigar v. United States*, 406 U.S. 441 (1972); see also *Murphy v. Waterfront Comm'n of New York Harbor*, 378 U.S. 52, 79 (1964) abrogated by *United States v. Balsys*, 524 U.S. 666 (1998). Thus, the Maryland statute and *Kastigar* are directly inapposite to the State's theory that Officer Porter committed an obstruction of justice during his

taped statement and Officer Porter committed perjury when he took the stand in his defense at trial.

Courts have agreed, that "[t]he exception in the immunity statute allows the use of immunized testimony only in prosecutions for future perjury, future false statements, and future failure to comply with the immunity order, not for past acts." *Matter of Grand Jury Proceedings of Aug., 1984*, 757 F.2d 108 (7th Cir. 1984). Truthful testimony under a grant of immunity may not be used to prosecute the witness for false statements made earlier. *In re Grand Jury Proceedings*, 819 F.2d 981 (11th Cir. 1987). Thus, based on the State's blatant impeachment of Officer Porter during his trial, the State is effectively presented with a Hobson's choice. The State either has to retract their previous theory, and admit that Officer Porter was truthful, or the State has to recognize that the grant of immunity would be a farce – that is, the State's grant of immunity would be coaxing Officer Porter into committing what the State believes is perjury and an obstruction of justice, both of which are crimes that falls outside the scope of immunity granted in the immunity statute. MD. CODE, CTS. & JUD. PROC. § 9-123. Such a farcical grant of immunity would fly in the face of *Kastigar's* holding that a witness may be compelled to testify when given use and derivative use immunity, if after the immunity is granted, the immunity leaves the witness in the same position, as if the witness had simply claimed the privilege. 406 U.S. 441.

An analogous scenario is found in *United States v. Kim*, 471 F. Supp. 467 (D.D.C. 1979). *Kim* held that when a defendant was found to have given a

perjurious response to a congressional committee's question, and then that same defendant is granted use and derivative use immunity to answer the same question, such a grant was not coextensive with scope of privilege that must be provided under *Kastigar*, as it could have resulted in the infliction of criminal penalties. *U.S. v. Kim* is similar to Officer Porter's scenario in that the prosecution cannot first allege that Porter has provided perjured testimony/committed obstructions of justice, and then thereafter grant immunity to suborn the very same testimony that was allegedly perjured. To summarize: "[i]t is well-established in federal courts that the privilege against self-incrimination can properly be invoked based on fear of a perjury prosecution arising out of conflict between statements sought to be compelled and prior sworn testimony." *Johnson v. Fabian*, 735 N.W.2d 295, 310-11 (Minn. 2007) (citing other cases).

Further: each additional statement by Officer Porter would be live tweeted and reported upon, resulting in an inability to receive a fair trial. Notably, this is a matter in which 100% of the jury panel was aware of the case. Likely the same percentage of a new panel would have at least some knowledge of preceding case(s). If Officer Goodson or Sergeant White were to be acquitted it is all but inevitable that jurors would conclude that Porter - - the star witness - - was not credible. If convicted, the jurors will assume that Officer Porter has knowledge of inculpatory acts that he has now revealed when granted immunity. Commentators will likely opine as to this regardless of the outcome of each trial.

Officer Porter's statement at his trial was unquestionably voluntary, and his statements to F.I.T. and Detective Teel were found by the Court to be voluntary. Contrarily, Officer Porter's potential statements in Officer Goodson's trial and Sgt. White's trial would not be. Officer Porter would thereby be subjected to jurors with some knowledge of the substance of his compelled statements. Parsing out whether a juror's knowledge of Officer Porter's previous testimony was from the initial voluntary statements, or the later compelled statements would not be possible in voir dire. A mini-*Kastigar* hearing would be required for each juror.⁴

Moreover, in Officer Porter's trial, and any retrial, the witness were and can be sequestered. The reason for this is obvious, that each witness should testify about his or her recollection, untainted by what every other witness said. And while the Court can compel witnesses at Officer Porter's trial from learning what the other witnesses have testified to, it can scarcely prohibit people from following accounts of Officer Porter's testimony in the Goodson and White trials.

If this Court buys what the state is selling, why wouldn't a prosecutor do it in every case? It is all too common that more than one person is charged with any given homicide. Because of a host of reasons, the cases are often severed or not joined. Why would an enterprising prosecutor not say "you know what, Defendant B may testify in his trial. So I'll give him immunity and call him as a witness in Defendant A's trial. I'll see how he responds to questions, get an advance preview of what he's going to say, get a feel for how to cross him,

4 See the related *Poindexter* argument below.

whether to offer him a plea, sure I can't use what he says, but they can't make me forget it, there's no prohibition against me getting a transcript, no brainer, right?" This is exactly the kind of harm the Eighth Circuit saw, when holding that "[s]uch use could conceivably include assistance in focusing the investigation, deciding to initiate prosecution, refusing to plea-bargain, interpreting evidence, planning cross-examination, and otherwise generally planning trial strategy." *United States v. McDaniel*, 482 F.2d 305, 311 (8th Cir. 1973).

A later *Kastigar* will be insufficient to remedy Officer Porter's testimony at two trials. As Officer Porter has "not yet delivered the...material, and he consistently and vigorously asserted his privilege. Here the 'cat' was not yet 'out of the bag' and reliance upon a later objection or motion to suppress would 'let the cat out' with no assurance whatever of putting it back." *Maness v. Meyers*, 419 U.S. 449, 463, 95 S. Ct. 584, 593, 42 L. Ed. 2D 574 (1975).

Should this Court give the state its imprimatur to make an end run around self-incrimination, the preceding sentence is a preview of coming attractions. "[E]ven if the sole purpose in calling a witness is other than subterfuge, the questioning by a party of its own witness concerning an "independent area of inquiry" intended to open the door for impeachment and introduction of a prior inconsistent statement could be found improper." *Walker v. State*, 373 Md. 360, 386, 818 A.2d 1078, 1093 (2003)

Mr. Schatzow will surely not ask Officer Porter the same questions six months later as he did the first go around. Even if he did, it is inconceivable that

Officer Porter will answer them the same way. All good cross examination is palimpsest, it builds on what you already know. To allow the state to have two (2) more runs at Officer Porter, prior to his retrial, is anathema to our notions of the right to remain silent.

The Maryland statute on immunity states that "if a witness refuses...the witness may not refuse to comply...may be used against the witness...if a witness refuses to comply..." Id. (emphasis supplied). The statute is designed for people without skin in the game: witnesses. Not Officer Porter.

To be sure: there are ways of compelling someone that the state believes to be less culpable in a criminal act to testify at the other's trial. *People v. Brunner*, 32 Cal. App. 3d 908, 911, 108 Cal. Rptr. 501 (CA Ct. App. 1973).

California sensibly holds that:

where, as here, the defendant properly invokes the privilege against self-incrimination in a felony proceeding and is compelled by invocation of [the California Immunity Statute] to testify to matters which tend to incriminate him as to presently charged offenses, he may not be prosecuted for them, notwithstanding that his testimony is not used against him.

People v. Campbell, 137 Cal. App. 3d 867, 187 Cal. Rptr. 340 (CA Ct. App. 1982).⁵ Accord *People v. Matz*, 68 Cal. App. 4th 1216, 80 Cal. Rptr. 2D 872, 875 (1998).

⁵ Again, California holds that, under its statute "The measure of what incriminates defines the offenses immunized. Thus, the inference ("link") from compelled testimony to implicated offense serves to identify and hence *define* the offense immunized from prosecution." *People v. Campbell*, 137 Cal. App. 3d 867, 874, 187 Cal. Rptr. 340 (CA Ct. App. 1982) (emphasis in the original).

(c) Porter has not been immunized federally

As this Court is aware:

The assistant United States attorney testified that she too was authorized to grant [a witness] immunity from any federal prosecution within the...District [that that Federal prosecutor practices in] based upon his testimony or the fruits thereof. She also indicated that the immunity she was offering was not immunity under the federal immunity statute, 18 U.S.C. §§ 6001-03 (1982), which requires federal judicial approval, but rather immunity granted solely under the authority of her office and without the approval of a federal judge.

State ex rel. Munn v. McKelvey, 733 S.W.2d 765, 767 (Mo. 1987). Of course, Federal prosecutors and Judges also have the ability pursuant to 18 U.S.C. §§ 6001-03 to grant a more formal immunity.

Neither such Orders have been provided in this case. And that notwithstanding, as stated earlier, that the United States Department of Justice is very much aware and monitoring all that is going on in the case at bar.

As the Court is aware, and as will be discussed further later, when the United States Government becomes aware of immunized testimony it typically develops a "taint" team.⁶ The undersigned provides two (2) examples for the purposes of making a record in this case.

1) the undersigned both represented correctional officers that were accused of beating an inmate. The officers, and others that worked on their shift, were compelled to testify in administrative hearings. As a result of this compelled

6 Sometimes the respective teams are called "clean" and "dirty."

testimony the Federal Government put a "taint" team in place. The FBI Agents and the United States Department of Justice had two prosecution teams. The first got to read everything. The compelled testimony, the information developed through other sources, all of it. The second got to read only what the first team decided was untainted. So the prosecutors did not know what was said by people compelled to answer questions. Nor were the agents actually proactively investigating the case aware what was said during the compelled statements.

2) Under Federal law a defendant in a capital case has a right to raise mental diseases and defects, not amounting to insanity, to argue that he should not receive a sentence in death. Fed. R. Crim. P. § 12.2. The wrinkle is that the Government has a right to advance notice of it, and the opportunity to get their own assessment. What if a capital defendant, not raising insanity, decides to testify at his guilt phase? Well, any prosecutor worth his salt would surely work that information into his cross. Even if a defendant doesn't testify, it could, almost inadvertently, be brought out through other witnesses. IQ scores, personality disorders, defects that go to an ability to accurately recall events, all would be fair game. So the United States Attorney's Office provides two (2) sets of attorneys. Team 1 tries the case. Team 2 receives the mental health disclosure from the defense, hires their own experts, files whatever challenges they believe may lie. And, here's the important part, Team 2 does not share anything that they are doing with Team 1 unless and until said mental health evidence becomes a factor at the penalty phase of the trial.

These two examples are provided solely to point out that there are no such dichotomous participants in this case. The same prosecutors that presented the case to the grand jury, participated in pretrial hearings, and tried Officer Porter's case are now seeking to compel his testimony in the trials of two others, and will be counsel of record when Porter round 2 commences. No walls will be erected around this testimony, the spill over effect will be instantaneous and indellible. For that reason alone this Court must disallow the calling of Officer Porter as a witness.

(d) The state would be suborning perjury

Firstly, it will surely have escaped no-one's notice that Maryland does not allow for a prosecutor or a Court to immunize perjury. Which makes sense from a societal standpoint: 'here's your immunity, now go say whatever you want' is scarcely in the public interest. So, whatever grant this Court makes will have no effect on the ability of the State of Maryland to charge Officer Porter with perjury later.

If Officer Porter is compelled to testify at Goodson trial, and were to testify differently from his own trial: it is surely axiomatic that he would have committed perjury during at least one of the trials. However, even if he testifies consistently with his previous trial: as narrated above the prosecution already believes he has committed multiple instances of perjury. And, as detailed below, what is of crucial importance is what they, the state, believe.

The state's commenting on Officer Porter's testimony would be admissible in Goodson and White's trial as an admission of a party oponent. See, for example, *Wisconsin v. Cardenas-Hernandez*, 219 Wis. 2d 516, 529, 579 N.W.2d 678, 684 (1998) (collecting cases).

Similar situations

The Tennessee Bureau of Investigation investigated a Tri-Cities attorney for perjury, after he was accused of advising one of his clients to "lie under oath" in a DUI case. The lawyer sent the following email to the client, "they won't have anyone there to testify how much you had to drink. You won't be charged with perjury. I've never seen them charge anyone with perjury, and everybody lies in criminal cases, including the cops. If you want to tell the truth, then we'll just plead guilty and you can get your jail time over with."⁷

In *State Bar of Cal. v. Jones*, 208 Cal. 240, 280 P. 964 (1929), the Supreme Court of California held that a one-year suspension from practice for attorney's attempt to cause miscarriage of justice through inducing clients to give perjured testimony was not an excessive penalty.

In *Premium Pet Health, LLC v. All American Proteins, LLC, et al.* the Court reprimanded counsel for suborning perjury by submitting an affidavit stating that counsel did not have relevant materials, after counsel deleted all of the relevant

⁷ Available at <http://crimlaw.blogspot.com/2005/12/from-dont-leave-written-evidence-of.html>

materials the day before. The judge took particular issue with this turn of events, since Bryan Cave partner Randall Miller was aware of this before he filed an affidavit that denied this, "[Miller] reviewed the Landers Affidavit and filed it ... thereby suborning perjured testimony ... Miller also failed to alert the Court or opposing counsel to the spoliation that Bryan Cave had ordered the day before, another clear violation of professional and ethical obligations."⁸

In *Tedesco v. Mishkin*, an attorney, against whom sanctions were sought both as an attorney and as a litigant in a securities action, suborned perjury of witness in violation of 18 U.S.C.A. § 1622 and aided and abetted witness to commit perjury in violation of 18 U.S.C.A. §§ 2, 1621 by not advising witness, after hearing his proposed testimony and knowing it to be false, against testifying in that manner. *Tedesco v. Mishkin*, 629 F. Supp. 1474 (S.D.N.Y. 1986). The attorney's later telling witness to do what he had to do was insufficient to stop witness from carrying out agreement given attorney's knowledge that witness would go to drastic lengths to protect attorney. *Id.*

The harm to due process

The relevant law governing a prosecutor's use of perjured testimony is set forth in *Napue v. Illinois* (1959):

[I]t is established that a conviction obtained through use of false evidence, known to be such by representatives of the State, must fall

⁸ Available at <http://abovethelaw.com/2015/06/biglaw-partner-and-associate-destroyed-evidence-suborned-perjury/2/>.

under the Fourteenth Amendment. The same result obtains when the State, although not soliciting false evidence, allows it to go uncorrected when it appears.

The principle that a State may not knowingly use false evidence, including false testimony, to obtain a tainted conviction, implicit in any concept of ordered liberty, does not cease to apply merely because the false testimony goes only to the credibility of the witness. The jury's estimate of the truthfulness and reliability of a given witness may well be determinative of guilt or innocence, and it is upon such subtle factors as the possible interest of the witness in testifying falsely that a defendant's life or liberty may depend.

360 U.S. 264, 269 (citations omitted.) Accordingly, *State v. Yates*, decided by the Supreme Court of New Hampshire, presents a legal scenario that is analogous to that of the instant matter. 629 A.2d 807, 809 (1993). In *Yates*, the prosecutor reasonably believed that a witness presented false testimony when the witness denied any involvement in illicit drugs, and that witness' false testimony was integral to the conviction of the defendant. Id. The defendant's "entire defense depended on the premise that [the witness] owed [the defendant] money from a cocaine sale." Id. The prosecutor knew before trial that the witness had recently been indicted for drug possession, yet, the prosecutor failed to correct the witness' statement when the witness denied any involvement in illicit drugs.

Importantly, the *Yates* court stated that one does not need to prove that the prosecutor had *actual knowledge* of the uncorrected false testimony; one "need only show that the prosecutor *believed* [the witness'] testimony was probably false." See *May v. Collins*, 955 F.2d 299, 315 (5th Cir.), *cert. denied*, 504 U.S.

901 (1992); *United States v. Mills*, 704 F.2d 1553, 1565 (11th Cir. 1983), *cert. Denied*, 467 U.S. 1243 (1984); *cf. Giglio v. United States*, 405 U.S. 150, 154 (1972) (knowledge of one attorney in prosecutor's office attributed to other attorneys in office). The Supreme Court of New Hampshire ultimately held that a lawyer's duty of candor to the tribunal "is neglected when the prosecutor's office relies on a witness's denial of certain conduct in one case after obtaining an indictment charging the witness with the same conduct in another case." *Yates*, 629 A.2d at 809.⁹ For the prosecution to offer testimony into evidence, knowing it or believing it to be false is a violation of the defendant's due process rights. *Mills*, 704 F.2d at 1565 *citing United States v. Sutherland*, 656 F.2d 1181, 1203 (5th Cir.), *cert. denied*, 455 U.S. 949 (1981); *United States v. Brown*, 634 F.2d 819, 827 (5th Cir. 1981). As noted by the District of Columbia Court of Appeals, "the nondisclosure of false testimony need not be willful on the part of the prosecutor to result in sanctions." *Hawthorne v. United States*, 504 A.2d 580, 591 n. 26 (D.C. 1986) *citing Giglio v. United States*, 405 U.S. at 154.

⁹ The parallel rule in Maryland is Maryland Rule 16-812, Maryland Rule of Professional Conduct 3.3 "Candor Toward the Tribunal," which provides:

(a) A lawyer shall not knowingly:

(1) make a false statement of fact or law to a tribunal or fail to correct a false statement of material fact or law previously made to the tribunal by the lawyer;

(2) fail to disclose a material fact to a tribunal when disclosure is necessary to avoid assisting a criminal or fraudulent act by the client;

(4) offer evidence that the lawyer knows to be false. If a lawyer has offered material evidence and comes to know of its falsity, the lawyer shall take reasonable remedial measures.

So while Officer Porter one "need only show that the prosecutor *believed* [the witness'] testimony was probably false," he need go no further than the factual summary above to evince that both Ms. Bledsoe and Mr. Schatzow stated unambiguously that what Officer Porter said was demonstrably false.

There is no way around this

It is of no moment if the state makes claims that Officer Porter is very unlikely to be prosecuted for any statement he might make at the White / Goodson trials. That is because:

We find no justification for limiting the historic protections of the Fifth Amendment by creating an exception to the general rule which would nullify the privilege whenever it appears that the government would not undertake to prosecute. Such a rule would require the trial court, in each case, to assess the practical possibility that prosecution would result from incriminatory answers. Such assessment is impossible to make because it depends on the discretion

United States v. Miranti, 253 F.2d 135, 139 (2nd Cir.1958) (cited with approval in *Choi v. State*, 316 Md. 529, 539 (1989).

Even if (which they cannot) the state could somehow confine their direct questioning to areas in which they have never levied a perjury accusation against Officer Porter, this would still not solve the issue.

This is because "a judge must allow a defendant wide latitude to cross-examine a witness as to bias or prejudices." *Smallwood v. State*, 320 Md. 300,

307-08, 577 A.2d 356, 359 (1990). Accordingly, whatever narrow focus the state may decide to employ in an attempt to cure the unconstitutional ill set out herein, nothing would bind counsel for Goodson and White from a much wider foray on cross-examination. And, in the event that Officer Porter withstands their cross with his reputation intact, the prosecutors could then become character witnesses to impugn his veracity (see further below).

To allow Porter to testify, is likely to result in him being unavailable for cross-examination. While the state may give him immunity, the defense cannot. And any new areas that they enquire into are likely to result in Porter declining to answer. No part of any statement Porter has ever given can be used if he is unavailable for cross-examination. *Crawford v. Washington*, 541 U.S. 36, 124 S.Ct. 1354, 158 L.Ed.2d 177 (2004); *State v. Snowden*, 385 Md. 64, 867 A.2d 314 (2005).

(e) The cases cited by the State

They do not stand for the proposition that Officer Porter can be compelled to testify

The state principally relies on *United States v. Balsys*, 524 U.S. 666, 680-682 (1998). There are several points to make about this case. Firstly, even the portions that the state relies on cannot be said to be anything more than *dicta*. The holding of *Balsys* was that “[w]e hold that concern with foreign prosecution is beyond the scope of the Self-Incrimination Clause.” *Id.* at 669.

Balsys was an immigration case. *Balsys* was not given any immunity, and so is dissimilar to the case at bar. And *Balsys*' purported fear was that he might be prosecuted in "Lithuania, Israel and Germany." *Id.* at 670. Of course, no prosecution at that time was pending, indeed there was nothing in the record that Lithuania had had any contact with the defendant since his immigration from that country 37 years earlier. The Supreme Court distilled the issue into one sentence: could *Balysis* "demonstrate that any testimony he might give in the deportation investigation could be used in a criminal proceeding against him brought by the Government of either the United States or one of the States, [then] he would be entitled to invoke the privilege." Here: Officer Porter has demonstrated, **conclusively**, that there is an ongoing investigation by the United States.

Moreover, *Balsys* reiterates that "the requirement to provide an immunity as broad as the privilege itself." As stated herein, given that the same prosecutors will take Mr. Porter's testimony not once: but twice - - in the trials of Goodson and White, will then cross-examine Officer Porter again at his retrial, he will not, and cannot be, placed in the same position as if he had never testified. The state gets an advantage, and what Mr. Schatzow learns of Officer Porter's knowledge during the compelled testimony during the trials of Goodson and White cannot be unknown to him on June 13, 2016.

Further, what the state is in effect asking this Court to find is that as a matter of Federal law, Officer Porter's testimony at the Goodson and White trials cannot be used against him later. Respectfully, this matter is proceeding in the Circuit Court for Baltimore City, and this Court cannot make such an inferential leap as to what a separate sovereign may decide in the future.

Following *Balsys*, the state next cites *United States v. Cimino*, 2014 U.S. Dist. LEXIS 155236 (10/29/14). Firstly, an unreported United States District Court decision from another circuit is scarcely a reason for this Court to make law that flies in the face of 12 score years of Anglo-Maryland jurisprudence. Secondly, the reluctant witness in *Cimino* was an "agent of the FBI...carrying out the controlled buys orchestrated by the Bureau." *Id.* at 5. This is a world away from the case at bar. While the *Cimino* witness may have had a snowball's chance in hell of being prosecuted, no matter what she said, Officer Porter has already been tried once for homicide, with another to follow anon. Lastly, in *Cimino*:

However, the immunity arguments pressed on this Court by defendant are of no relevance to the case at bar. The informant has not been immunized by anyone, for anything. She has no agreement that requires any sovereign to forbear from prosecuting her for any crimes she may commit, including crimes committed during the course of her work as an informant

Id. at 11-12. Thus, the portion cited by the state cannot be said to be anything other than unreported, non-binding, *dicta*.

The third case in the state's trifecta of cases it cited is *United States v. Poindexter*, 698 F. Supp. 300 (D.D.C. 1988). The primary thrust of the case concerns the steps taken by grand jury members to avoid learning of immunized testimony given at Congress, prior to their returning of an indictment. That is night-and-day from what we have here. The reason *Poindexter* supports Officer Porter's position, however, is that:

there must be noted several administrative steps which were taken by Independent Counsel from an early date to prevent exposure of himself and his associate counsel to any immunized testimony. Prosecuting personnel were sealed off from exposure to the immunized testimony itself and publicity concerning it. Daily newspaper clippings and transcripts of testimony before the Select Committees were redacted by nonprosecuting "tainted" personnel to avoid direct and explicit references to immunized testimony. Prosecutors, and those immediately associated with them, were confined to reading these redacted materials. In addition, they were instructed to shut off television or radio broadcasts that even approached discussion of the immunized testimony. A conscientious effort to comply with these instructions was made and they were apparently quite successful. In order to monitor the matter, all inadvertent exposures were to be reported for review of their possible significance by an attorney, Douglass, who played no other role in the prosecution after the immunized testimony started...Overall, the file reflects a scrupulous awareness of the strictures against exposure and a conscientious attempt to avoid even the most remote possibility of any impermissible taint.

Id. at 312-313. It is therefore, readily apparent that the prosecution team in *Poindexter* went out of their way to avoid learning anything - - let alone anything of consequence - - from the immunized testimony. In the case at bar, however, there is but one prosecution team. The same people that crossed Officer Porter last time will be in the room when he is called as a witness next time, and the

time after that and, potentially, a fourth time at his retrial. The state's failing to Chinese wall the different prosecutions means that they cannot now remove the indellible taint.

Even if the cases said what the state believes they say, Officer Porter has a separate right not to testify under the Maryland Declaration of Rights

Assuming, *arguendo*, that *Murphy* signaled a sea change in federal constitutional jurisprudence in its ruling that the *federal* constitutional privilege against self-incrimination protects a state witness against incrimination under federal *and* state law, and a federal witness against incrimination under state *and* federal law. *Murphy*, 378 U.S. 52, 78. Very importantly, in making its decision, the *Murphy* Court discussed, in detail, two English common law cases decided before 1776:

In 1749 the Court of Exchequer decided *East India Co. v. Campbell*, 1 Ves.Sen. 246, 27 Eng.Rep. 1010. The defendant in that case refused to 'discover' certain information in a proceeding in an English court on the ground that it might subject him to punishment in the courts of India. The court unanimously held that the privilege against self-incrimination protected a witness in an English court from being compelled to give testimony which could be used to convict him in the courts of another jurisdiction.

Id. at 58. The Supreme Court also cited *Brownsword v. Edwards*, 2 Ves.sen. 243, 28 Eng.Rep. 157, decided in 1750, one year after *East India Co. v. Campbell*, in which the defendant refused to divulge whether she was lawfully married to a certain individual, on the ground that if she admitted to the marriage she would be confessing to an act which, although legal under the common law, would

render her 'liable to prosecution in ecclesiastical court.' *Murphy*, 378 U.S. 52, 58–59. Thus, as the Supreme Court stated, *Brownsword* applied the ruling from *East India Co.* in a case involving separate systems of courts and law located within the same geographic area.

Why this matters is that the Maryland Declaration of Rights Article 5(a)(1) provides, "That the Inhabitants of Maryland are entitled *to the Common Law of England, . . . as existed on the Fourth day of July, seventeen hundred and seventy-six.*" (Emphasis supplied). Thus, pursuant to Article 5 of the Maryland Declaration of Rights, Maryland common law retains the dual sovereignty doctrine in its entirety, as Maryland retains the rulings set forth in England pre-1776, providing a different protection for its citizens than its federal counterpart.

As stated *supra*, Article 22 of the Maryland Declaration of Rights¹⁰ is the state parallel to the self-incrimination clause of the Fifth Amendment. Counsel has located no case which holds that *Murphy* or *Balsys*' rulings are applicable in Maryland under Article 22 grounds.

Further support is found in *Choi v. State*, 316 Md. 529, 545, 560 A.2d 1108, 1115-16 (1989). Because while a witness may have:

waived her Fifth Amendment privilege, she certainly did not waive her privilege against compelled self-incrimination under Art. 22 of the Maryland Declaration of Rights. Long ago, in the leading case of *Chesapeake Club v. State*, 63 Md. 446, 457 (1885), this Court expressly rejected the waiver rule now prevailing under the Fifth Amendment and adopted the English rule that a witness's testifying

¹⁰ Article 22 states, "[t]hat no man ought to be compelled to give evidence against himself in a criminal case."

about a matter does not preclude invocation of the privilege for other questions relating to the same matter.

Id. This is authority for Officer Porter's contention herein that, while immunity cannot cure his Fifth Amendment concerns, it most certainly cannot assuage his Maryland rights.

Maryland retains the dual sovereignty doctrine in its entirety. *Evans v. State*, 301 Md. 45 (1984) (adopting the dual sovereignty principle as a matter of Maryland common law); see also *Gillis v. State*, 333 Md. 69, 73, 633 A.2d 888, 890 (1993) (holding that “[u]nder the “dual sovereignty” doctrine, separate sovereigns deriving their power from different sources are each entitled to punish an individual for the same conduct if that conduct violates each sovereignty's laws). *Bailey v. State*, 303 Md. 650, 660, 496 A.2d 665, 670 (1985) (stating that “[t]his Court has adopted, as a matter of common law, the dual sovereignty doctrine.”).

Article 22 of the Maryland Declaration of Rights reads that “That no man ought to be compelled to give evidence against himself in a criminal case.” Id. Under Article 22, “[t]he privilege must be accorded a liberal construction in favor of the right that it was intended to secure.” *Adkins v. State*, 316 Md. 1, 8, 557 A.2d 203, 206 (1989).

Massachusetts Declaration of Rights, Article XII states, similarly, that no one can be “compelled to accuse, or furnish evidence against himself.” And in Massachusetts “[o]nly a grant of transactional immunity” will suffice. Attorney

Gen. v. Colleton, 387 Mass. 790, 801, 444 N.E.2d 915, 921 (1982). Thus, Officer Porter could not be called, were we in Massachusetts, "so long as the witness remains liable to prosecution criminally for any matters or causes in respect of which he shall be examined, or to which his testimony shall relate." Id. at 797.

(e) The state would be making themselves witnesses

There have been only two people that called Officer Porter untruthful. It was not Officer Porter. It was not the Detective Teel, the lead investigator, to the contrary she said he was trying to be candid in her discussions with him. It was not the coroner, nor was it Dr. Lyman, who did not opine as to the reasonableness of Porter's actions. It was not any members of the jury, who presumably at least partly credited his testimony in failing to return a guilty verdict.

The only two (2) persons that have called Officer Porter a liar - - to date - - are Janice Bledsoe and Michael Schatzow. As stated, *supra*, Mr. Schatzow's greatest hits include that Porter "lied to you [the jury] about what happened... lied when he spoke to the [investigative] officers and he lied when he spoke on the witness stand;" while Ms. Bledsoe penned the one hit wonder "Officer Porter was not telling the truth about his involvement in this incident...the only reasonable conclusion you can come to is that Ofc. Porter is not telling the truth." Id. Coming from two deputies in the States Attorney's Office these comments are that much more significant because:

Attorneys' representations are trustworthy, the [The Supreme] Court [has] reasoned, because attorneys are officers of the court, and when they address the judge solemnly upon a matter before the court, their declarations are virtually under oath.

Lettlely v. State, 358 Md. 26, 47, 746 A.2d 392, 404 (2000) (internal citations omitted).

If Officer Porter is called to testify in the Goodson and White trial there are two (2) people, and only two (2) people, that can be called to impugn his credibility, Ms. Bledsoe and Mr. Schatzow. Thus, "[i]n order to attack the credibility of a witness, a character witness may testify...that, in the character witness's opinion, the witness is an untruthful person." Md. Rule 5-608.

This presents all sorts of problems because:

MLRPC Rule 3.7(a). The policy behind this rule is succinctly stated in the Comment: "Combining the roles of advocate and witness can prejudice the opposing party and can involve a conflict of interest between the lawyer and client." MLRPC Rule 3.7 cmt. With regard to the mixing of roles, the Comment continues:

The opposing party has proper objection where the combination of roles may prejudice that party's rights in the litigation. A witness is required to testify on the basis of personal knowledge, while an advocate is expected to explain and comment on evidence given by others. It may not be clear whether a statement by an advocate-witness should be taken as proof or as an analysis of the proof.

Id.


Klupt v. Krongard, 126 Md. App. 179, 205-06, 728 A.2d 727, 740 (1999). The advocate-witness rule "assumes heightened importance in a criminal case."

Walker v. State, 373 Md. 360, 397 (2003). In short: calling Officer Porter at the

Goodson and White trials will not only result in his rights being violated, but will necessitate a quagmire in which rights are trampled on all sides in the ensuing free-for-all.

WHEREFORE, for the foregoing reasons and any others that appear to this Court, Officer Porter prays that the Court grant his Motion to Quash the Subpoena he received for the case at bar.

Respectfully Submitted,



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CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of January 2016, a copy of the foregoing was emailed to Chambers and counsel for both the defendant and the state and, on 4th day of January, 2016, a copy of witness William Porter's Motion to Quash the subpoena was hand delivered to Ms. Bledsoe at 120 E. Baltimore Street, 9th Floor, Baltimore MD 21202, and Ivan Bates 201 N. Charles Street, Suite 1900, Baltimore MD 21202.

A handwritten signature in cursive script, appearing to read "G. Proctor", is written over a horizontal line.

GARY E. PROCTOR

RECORDED FOR RECORD
JUN 16 2016

STATE OF MARYLAND

2016 JUN -6 A 9:39

IN THE
CIRCUIT COURT FOR
BALTIMORE CITY
CASE No. 115141032

v.

CAESAR GOODSON

* * * * *

STATE'S RESPONSE TO MOTION TO QUASH TRIAL SUBPOENA OF OFFICER WILLIAM PORTER

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 responds herein to the Motion to Quash Trial Subpoena of Officer William Porter filed on January 4, 2015, by Officer Porter through counsel.

I. Overview

On January 4, 2015, Officer William Porter filed a Motion to Quash a trial subpoena that the State served on him to appear and testify as a witness in the above-captioned case. Prior to that Motion, on May 21, 2015, a Grand Jury indicted Officer Porter, as well as Defendant Goodson and four other police officers, charging all with crimes stemming from a common underlying incident, namely the arrest and death of Mr. Freddie Gray. Officer Porter stood trial on that indictment beginning on November 30, 2015, but the jury ultimately could not reach a unanimous verdict on any of the charges, resulting in the Court declaring a mistrial on December 16, 2015.

The State has no intentions of dismissing the charges against Officer Porter, and his re-trial is scheduled to begin on June 13, 2016. Nevertheless, his testimony remains necessary and material to the prosecution of Defendant Goodson. Accordingly, following the mistrial, the State

informed counsel for Officer Porter that if he invoked his privilege against self-incrimination when called to testify as a witness against Defendant Goodson, then the State would request that the Court issue an order compelling Officer Porter to testify in consideration of a grant of use and derivative use immunity for his testimony pursuant to Section 9-123 of the Courts and Judicial Proceedings Article ("CJP" hereinafter). This Court scheduled a hearing for January 6, 2015, to consider that requested immunity order.

Seeking to avoid testifying at Defendant Goodson's trial, Officer Porter's January 4 Motion asks this Court to quash the trial subpoena served on him, asserting as grounds for such relief an array of arguments set forth in a 38-page pleading that reduces to two main points: (1) that Officer Porter cannot be compelled to testify even with use and derivative use immunity because of his privilege against self-incrimination and (2) that the State's prior assertion during his trial that Officer Porter lied about certain facts under oath prevents the State from compelling his testimony because such testimony could subject him to perjury charges despite immunity or could otherwise affect the fairness of Defendant Goodson's trial. Officer Porter's Motion, while replete with rhetorical efforts and arguments relevant toward his retrial, fails to set forth any meritorious basis to quash his trial subpoena in the case involving Defendant Goodson. Consequently, his Motion should be denied.

II. Officer Porter has failed to claim any proper grounds to quash his trial subpoena under

Rule 4-266

Before assessing the many arguments set forth in Officer Porter's Motion, the Court should consider those arguments that Officer Porter has *not* set forth—namely, any of the proper grounds to quash a subpoena as provided in Rule 4-266. Specifically, Rule 4-266(c) provides

that “[u]pon motion of . . . a person named in the subpoena . . . the court, for good cause shown, may enter an order which justice requires to protect the . . . person from annoyance, embarrassment, oppression, or undue burden or expense . . . including . . . [t]hat the subpoena be quashed.” The Court of Special Appeals, construing Rule 4-266’s substantively identical civil corollary, Rule 2-403, described that a person seeking to quash a subpoena by requesting

an order that will protect . . . a person from annoyance, embarrassment, oppression, or undue burden or expense . . . has the burden of making a particular and specific demonstration of fact, as distinguished from general, conclusory statements, revealing some injustice, prejudice, or consequential harm that will result if protection is denied. Even if the court agrees that some protection is necessary, a protective order is not a blanket authorization for the court to prohibit disclosure of information whenever it deems it advisable to do so, but is rather a grant of power to impose conditions on discovery in order to prevent injury, harassment, or abuse of the court’s processes.

Forensic Advisors, Inc. v. Matrixx Initiatives, Inc., 170 Md. App. 520, 530-31 (2006) (internal citations and quotations marks removed). Nowhere in Officer Porter’s Motion does he even cite Rule 4-266, much less particularly and specifically demonstrate how good cause exists to quash his trial subpoena based on annoyance, embarrassment, oppression, or undue burden or expense. At best (and as fully set forth below), his Motion presents an erroneous interpretation of the effect of an immunity order under CJP § 9-123 and a litany of speculative, conclusory assertions about the impact his compelled testimony may have on his future retrial or other criminal liability. As such, the Motion fails to set forth proper grounds for relief and should be denied.

III. CJP § 9-123 permits this Court to lawfully compel Officer Porter’s statement, notwithstanding his privilege against self-incrimination

Aside from failing to claim any grounds for relief recognized under Rule 4-266, Officer Porter’s Motion likewise fails to distinguish the settled legal principles underlying and embodied in CJP § 9-123: this Court’s order to compel his testimony upon the grant of use and derivative

use immunity statutorily authorized therein fully protects Officer Porter's privilege against self-incrimination under both federal and Maryland law. As the Supreme Court has explained, "the constitutional privilege against self-incrimination protects a state witness against incrimination under federal as well as state law and a federal witness against incrimination under state as well as federal law." *Murphy v. Waterfront Commn. of N.Y. Harbor*, 378 U.S. 52, 77-78 (1964). Nonetheless, "[a]mong the necessary and most important of the powers of the States as well as the Federal Government to assure the effective functioning of government in an ordered society is the broad power to compel residents to testify in court or before grand juries or agencies." *Kastigar v. United States*, 406 U.S. 441, 444 (1972) (internal quotation marks removed).

To that end, "[i]mmunity statutes, which have historical roots deep in Anglo-American jurisprudence, are not incompatible with [the privilege against self-incrimination]" because "they seek a rational accommodation between the imperatives of the privilege and the legitimate demands of government to compel citizens to testify," reflecting "the fact that many offenses are of such a character that the only persons capable of giving useful testimony are those implicated in the crime." *Id.* at 445-46. "[T]he government has an option to exchange the stated privilege for an immunity to prosecutorial use of any compelled inculpatory testimony," and "[t]he only condition on the government when it decides to offer immunity in place of the privilege to stay silent is the requirement to provide an immunity as broad as the privilege itself." *United States v. Balsys*, 524 U.S. 666, 682 (1998). A grant of "immunity from use and derivative use is coextensive with the scope of the privilege against self-incrimination, and therefore is sufficient to compel testimony over a claim of the privilege." *Kastigar*, 406 U.S. at 453. Furthermore, once the government compels such testimony upon a grant of immunity, the government may still proceed with the prosecution of the person so compelled to testify but in doing so bears "the

affirmative duty to prove that the evidence it proposes to use [at a subsequent trial] is derived from a legitimate source wholly independent of the compelled testimony." *Id.* at 460.

Moreover, because "the privilege against self-incrimination protects a state witness against federal prosecution," *Murphy*, 378 U.S. at 79, "the immunity option open to the Executive Branch [can] only be exercised on the understanding that the state and federal jurisdictions [are] as one, with a federally mandated exclusionary rule filling the space between the limits of state immunity statutes and the scope of the privilege," *Balsys*, 524 U.S. at 683. In other words, if "a state witness [is] compelled to give testimony which may be incriminating under federal law . . . , the compelled testimony and its fruits cannot be used in any manner by federal officials in connection with a criminal prosecution against him." *Murphy*, 378 U.S. at 79. "This exclusionary rule, while permitting the States to secure information necessary for effective law enforcement, leaves the witness and the Federal Government in substantially the same position as if the witness had claimed his privilege in the absence of a state grant of immunity." *Id.*

Following the 1964 *Murphy* decision explaining the relationship between the Federal and State governments in compelling immunized testimony over a person's privilege against self-incrimination and in light of the 1972 *Kastigar* explanation of the type of immunity required by the U.S. Constitution, the Maryland Court of Appeals has adopted both cases into Maryland's self-incrimination jurisprudence. *In re Criminal Investigation No. 1-162*, 307 Md. 674, 678 (1986), involved a challenge to self-incriminating testimony compelled under former Article 27, § 262, which at the time conferred "immunity from prosecution upon witnesses compelled by the State to testify in the course of a gambling investigation." The appellants had each invoked their fifth amendment privilege against self-incrimination when summoned to testify before a Grand

Jury conducting investigations into gambling, and when the prosecutor filed motions to compel their testimony, the appellants contended that "the § 262 immunity did not displace their fifth amendment privilege." *Id.* at 679-80.

After the circuit court denied the motions to compel, on appeal from the State, the Court first reiterated that "Article 22 of the Maryland Declaration of Rights grants the same privilege against compulsory self-incrimination" and that the Court has "consistently construed Article 22 to be *in pari materia* with the fifth amendment" such that "Article 22 provides protection identical to that provided by the fifth amendment privilege." *Id.* at 683, n. 3. The Court then described, citing *Murphy* and *Kastigar*, that

Despite this privilege, the government can compel a witness to testify if the witness obtains immunity coextensive with the privilege. The immunity must be granted by statute; a court has no inherent power to compel testimony in the face of a witness' claim of the fifth amendment privilege. To be valid, the statutory immunity must leave the government in substantially the same position with regard to prosecution of the witness as it would have been if the witness had asserted the privilege against self-incrimination. Three types of immunity are possible. Use immunity protects against the future use of the witness' compelled testimony in a criminal prosecution of the witness; use and derivative use immunity prohibit the use of the witness' testimony to uncover other evidence for use against the witness; and transactional immunity bars any future prosecution of the witness for offenses based on the compelled testimony. [. . .] To withstand a constitutional challenge, an immunity statute must provide either use and derivative use or transactional immunity.

Id. at 683-84 (internal citations omitted). The Court also noted the principle that "[i]n any subsequent prosecution of the witness, the government has the burden of demonstrating that its evidence is derived from a source wholly independent of the compelled testimony." *Id.* at 684, n. 4. Within this framework, the Court then analyzed the terms and history of § 262 and found that it conferred transactional immunity. *Id.* at 691. Because such immunity was even broader than the use and derivative use required under *Kastigar*, the Court concluded that § 262 was

constitutional and that, consequently, "it was error not to compel the witnesses' testimony before the Grand Jury." *Id.*

Three years after this decision, in 1989, the Maryland General Assembly enacted CJP § 9-123 as a general immunity statute for use in all criminal cases and investigations. The Legislature specified that the Act which added § 9-123 was

FOR the purpose of authorizing certain prosecutors in certain circumstances to file a written motion for a court order compelling a witness to testify, produce evidence, or provide other information; specifying the effect of the order; prohibiting testimony or other evidence compelled under the order or certain information derived from the compelled testimony or evidence from being used against the witness except under certain circumstances; requiring a court under certain circumstances to issue an order requiring a witness to testify or provide other information upon request by a prosecutor; establishing procedures for enforcement of an order to testify or provide other information; defining certain terms; and generally relating to immunity for witnesses in proceedings before a court or grand jury.

1989 Md. Laws 289 (attached as State's Exhibit 1).

In relevant part, § 9-123 provides that "[i]f an individual has been . . . called to testify . . . in a criminal prosecution . . . , the court in which the proceeding is . . . held shall issue . . . an order requiring the individual to give testimony . . . which the individual has refused to give . . . on the basis of the individual's privilege against self-incrimination," provided that the prosecutor who seeks to compel the individual's testimony requests the order in writing after the prosecutor "determines that (1) [t]he testimony or other information from the individual may be necessary to the public interest; and (2) [t]he individual has refused or is likely to refuse to testify . . . on the basis of the individual's privilege against self-incrimination." CJP § 9-123(c)-(d). Such an order shall have the effect that (1) "the witness may not refuse to comply with the order on the basis of the privilege against self-incrimination"; and that (2) "[n]o testimony . . . compelled under the order, and no information directly or indirectly derived from the testimony . . . , may be used

against the witness in any criminal case, except in a prosecution for perjury, obstruction of justice, or otherwise failing to comply with the order." CJP § 9-123(b).

By its very terms, CJP § 9-123 creates a general immunity scheme consistent with *Murphy* and *Kastigar* wherein self-incriminating testimony may be compelled by the State upon a grant of use and derivative use immunity. The statute does not distinguish between persons whose privilege against self-incrimination exists because of a possible criminal charge, a pending criminal charge, or a criminal conviction pending appeal—it applies to any "individual" who has been "called to testify or provide other information in a criminal prosecution," without consideration of the relationship between the individual and the particular prosecution at issue. CJP § 9-123(c). Though Maryland's appellate courts have yet to construe § 9-123 in a reported opinion, the Court of Appeals's analysis in *In re Criminal Investigation No. 1-162* that such a statute comports with both federal and Maryland self-incrimination jurisprudence leaves no doubt that § 9-123 would be upheld in the same manner as former Article 27, § 262.

In light of this established law, Officer Porter's argument is rendered baseless when he asserts that "calling [him] as a witness in two (2) trials about the same matters upon which he faces a pending manslaughter trial wrecks of impropriety" and "effectively renders the Fifth Amendment all but meaningless." Mot. to Quash at 12. Far from improper, the State's intended use of § 9-123 to compel Officer Porter epitomizes the Supreme Court's description of the historical need for a "rational accommodation between the imperatives of the privilege and the legitimate demands of government to compel citizens to testify" in cases precisely such as this wherein "the only persons capable of giving useful testimony are those implicated in the crime." *Kastigar*, 406 U.S. at 446. Moreover, Officer Porter's concerns about a possible federal prosecution following the disposition of his case in Maryland falls flat in the face of *Murphy's*

square holding that federal prosecutors are absolutely barred from making any use of his testimony compelled in state court.

Though Officer Porter also claims that *Murphy's* rationale relied on English common law principles of dual sovereignty and that Maryland common law maintains such principles under our Articles 5 and 22 of the Declaration of Rights, thereby rendering *Murphy* and *Balsys* inapplicable in Maryland, Mot. to Quash at 32-34, the Supreme Court in *Balsys* expressly disavowed this aspect of *Murphy's* rationale while reaffirming *Murphy's* primary rationale and holding that when the federal privilege against self-incrimination became binding upon the States by incorporation into the Fourteenth Amendment, "the state and federal jurisdictions were as one" from that point on such that the principles of dual sovereignty played no role in a self-incrimination analysis, 524 U.S. at 682-88. Officer Porter cites situations in which Maryland continues to recognize dual sovereign principles—Double Jeopardy, for example—but he ignores *In re Criminal Investigation No. 1-162's* simultaneous embrace of *Murphy* and reiteration that Article 22 and the Fifth Amendment are construed *in pari materia*. 307 Md. at 683, n. 3.

Officer Porter further argues that *Kastigar* and § 9-123 cannot be applied to his particular situation because he contends that the State's use of a single prosecution team will inevitably taint his future retrial once those prosecutors are permitted to compel his testimony in Defendant Goodson's case about the facts of the common underlying incident. As an initial matter, this argument is premature and irrelevant to the question of whether his trial subpoena in this case should be quashed because it fails to consider that when Officer Porter faces retrial, the prosecutors will bear the burden under *Kastigar* to prove that their evidence does not derive from his compelled testimony. Of course, in meeting this burden, prosecutors will have the benefit of

a nearly two-week trial transcript and nearly eight months of discovery disclosures to demonstrate the lack of any taint from hearing his compelled testimony, but the mere possibility of future taint in no way prejudices Officer Porter with respect to his being compelled to testify now. Likewise, his concern that testifying against Defendant Goodson might affect his own retrial by causing additional publicity or increasing public condemnation so as to prejudice the potential jury pool are also hypothetical considerations for which the remedy, if any, entails additional voir dire or removal, but certainly not quashing a trial subpoena in a separate case. In short, both federal law and Maryland law unquestionably permit the State to compel testimony even from a person in Officer Porter's position, regardless of his pending criminal charge and regardless of the subject of his compelled testimony.

IV. Prosecutors' prior assertion that Officer Porter committed perjury during his trial does not change the analysis that his testimony may be compelled under § 9-123

Alternatively, Officer Porter attempts to escape operation of § 9-123 on his theory that because prosecutors previously asserted during Officer Porter's trial that he lied about certain facts under oath, the State may not compel his testimony given that such testimony could subject him to perjury charges despite immunity or could otherwise affect the fairness of Defendant Goodson's trial. Specifically, he asserts that any grant of immunity in this case would not be coextensive with his privilege against self-incrimination in that here two prosecutors in his trial argued that he lied based on his trial testimony so that repeating such testimony under compulsion would merely further incriminate him as to some future perjury charge that he believes the State would bring. Mot. to Quash at 13. This argument overlooks the limitations immunity imposes on compelled testimony and ignores the fact that Officer Porter would be compelled to testify to the truth, not compelled to perjure himself. As the Second Circuit

succinctly summarized, “the Fifth Amendment: (1) permits the unrestricted use of a witness’s immunized testimony in a prosecution for perjury committed during the course of that immunized testimony; (2) does not permit a witness to invoke the privilege on the ground that he anticipates committing perjury sometime in the future; and (3) prohibits the use of immunized testimony in a prosecution for any offense—including perjury—committed before the grant of immunity if the witness would have had a valid claim of privilege absent the grant.” *United State v. DeSalvo*, 26 F.3d 1216, 1221 (1994).

In other words, the State could not use Officer Porter’s testimony in *State v. Goodson* to prove that he perjured himself in his own trial. Certainly, if Officer Porter testifies in his retrial in a manner materially inconsistent with his *Goodson* testimony, the State would be permitted to prosecute him for perjury; but this possibility poses no barrier to the application of § 9-123 and *Kastigar*’s principles because this Court’s order would not be compelling Officer Porter to perjure himself in the future. That choice would be his own when and if that time comes. Indeed, *Kastigar*’s entire holding centered on a federal immunity statute, 18 U.S.C. § 6002, which, like § 9-123, contains an exception that compelled testimony may be used in a prosecution for perjury, yet the statute, even with this exception, was upheld as constitutional. 406 U.S. at 448-53. Moreover, the only case Officer Porter cites in support of this argument is *United States v. Kim*, 471 F. Supp. 467 (D.D.C. 1979), a two-page memorandum opinion in which a grant of use and derivative immunity under the unique facts of that case was deemed nevertheless insufficient for purposes of *Kastigar*. Even the *Kim* Court, however, in apparent recognition that it was departing from precedent, noted that “[t]he fact that a witness may be prosecuted for perjury has been repeatedly found to be an insufficient basis for refusing to testify on Fifth Amendment grounds after a Court has ordered immunity,” *id.* at 469, hence the reason

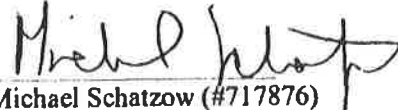
that the decision turned on the fact that the Kim was pending sentencing for a recent perjury conviction and was compelled at the time to incriminate himself about the very facts underlying his perjury conviction, risking an increased sentence if he testified, *id.* at 468. *See also Graves v. United States*, 472 A.2d 395 (D.C. App. 1984) (declining to follow *Kim* in a case where a defendant pending trial was compelled to testify as a witness against his severed co-defendant).

Officer Porter also extends his argument about prosecutors' allegations of prior perjury into a purported basis to quash his trial subpoena on the notion that prosecutors would be "suborning perjury" by calling him as a witness in the *Goodson* trial or would be subject to being called as character witnesses at that trial to impeach the credibility of Officer Porter's testimony. Mot. to Quash at 22-27, 35-36. First, the State notes that these matters have no relevance to the question of some harm to Officer Porter sufficient to justify quashing his trial subpoena, nor does Officer Porter have standing to assert that his compelled testimony would harm Defendant Goodson in some way. Second, the State has no intentions of calling Officer Porter to the stand in *Goodson* and then pretending that what the prosecutors called a lie in Porter's trial is now the truth in Goodson's trial. If Officer Porter testifies in *Goodson* consistently with his testimony in his own case, he may rest assured that prosecutors will be consistent with their evaluation of his testimony. Finally, the mere fact that prosecutors argued in Porter's trial that he lied about certain facts hardly qualifies them to opine with any "reasonable basis" about his general character or reputation for truthfulness under Rule 5-608. Thus, Officer Porter's alternative theory for avoiding § 9-123 fails to provide any actual basis for this Court to quash his trial subpoena.

Wherefore, the State asks that this Court deny Officer Porter's Motion to Quash his trial subpoena.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of January, 2016, a copy of the State's Response to the Motion to Quash Trial Subpoena of Officer William Porter was mailed and e-mailed to:

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(2) THE INDIVIDUAL HAS REFUSED OR IS LIKELY TO REFUSE TO TESTIFY OR PROVIDE OTHER INFORMATION ON THE BASIS OF THE INDIVIDUAL'S PRIVILEGE AGAINST SELF-INCRIMINATION.

(E) IF A WITNESS REFUSES TO COMPLY WITH AN ORDER ISSUED UNDER SUBSECTION (C) OF THIS SECTION, ON WRITTEN MOTION OF THE PROSECUTOR AND ON ADMISSION INTO EVIDENCE OF THE TRANSCRIPT OF THE REFUSAL, IF THE REFUSAL WAS BEFORE A GRAND JURY, THE COURT SHALL TREAT THE REFUSAL AS A DIRECT CONTEMPT, NOTWITHSTANDING ANY LAW TO THE CONTRARY, AND PROCEED IN ACCORDANCE WITH SUBTITLE P. OF THE MARYLAND RULES.

SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 298(d) through (g), respectively, of Article 27 - Crimes and Punishments of the Annotated Code of Maryland be renumbered to be Section(s) 298(c) through (f), respectively.

SECTION 2 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1989.

Approved May 19, 1989.

CHAPTER 289

(House Bill 1311)

AN ACT concerning

Witness Immunity - Crimes of Violence -
Controlled Dangerous Substances

FOR the purpose of authorizing certain prosecutors in certain circumstances involving ~~crimes of violence and certain controlled dangerous substance offenses~~ to file a written motion for a court order compelling a witness to testify, produce evidence, or provide other information; specifying the effect of the order; prohibiting testimony or other evidence compelled under the order or certain information derived from the compelled testimony or evidence from being used against the witness except under certain circumstances; requiring a court under certain circumstances involving ~~crimes of violence and certain controlled dangerous substance offenses~~ to issue an order requiring a witness to testify or provide other information upon request by a prosecutor; establishing procedures for enforcement of an order to testify or provide other information; defining certain terms; making ~~technical changes~~; and generally relating to immunity for witnesses in proceedings involving

~~crimes---of---violence---and---certain---controlled---dangerous
substance-offenses before a court or grand jury.~~

BY repealing and reenacting, with amendments,

~~Article-27---Crimes-and-Punishments
Section-298(c)
Annotated-Code-of-Maryland
(1987-Replacement-Volume-and-1988-Supplement)
Article 27 - Crimes and Punishments
Section 24, 39, and 400
Annotated Code of Maryland
(1987 Replacement Volume and 1988 Supplement)~~

BY repealing

Article 27 - Crimes and Punishments
Section 262, 298(c), 371, and 540
Annotated Code of Maryland
(1987 Replacement Volume and 1988 Supplement)

BY repealing and reenacting, without amendments,

Article 27 - Crimes and Punishments
Section 23
Annotated Code of Maryland
(1987 Replacement Volume and 1988 Supplement)

BY repealing and reenacting, with amendments,

Article 33 - Election Code
Section 26-16(c)
Annotated Code of Maryland
(1986 Replacement Volume and 1988 Supplement)

BY renumbering

Article 27 - Crimes and Punishments
Section 298(d) through (q), respectively
to be Section 298(c) through (f), respectively
Annotated Code of Maryland
(1987 Replacement Volume and 1988 Supplement)

BY adding to

Article - Courts and Judicial Proceedings
Section 9-123
Annotated Code of Maryland

(1984 Replacement Volume and 1988 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 27 - Crimes and Punishments

23.

If any person shall bribe or attempt to bribe any executive officer of the State of Maryland, any judge, or other judicial officer of this State, any member or officer of the General Assembly of Maryland, any officer or employee of the State, or of any bi-county or multi-county agency in the State, or of any county, municipality or other political subdivision of the State, including members of the police force of Baltimore City and the State Police or any member or officer of any municipal corporation of this State, or any executive officer of such corporation, in order to influence any such officer or person in the performance of any of his official duties; and if the Governor or other executive officer of this State, any judge, or other judicial officer of this State, any member of the General Assembly of Maryland or officer thereof, any officer or any employee of the State, or of any bi-county or multi-county agency in the State, or of any county, municipality or other political subdivision of the State, including members of the police force of Baltimore City and the State Police or any member or officer of any municipal corporation, or mayor or other executive officer thereof in this State shall demand or receive any bribe, fee, reward or testimonial for the purpose of influencing him in the performance of his official duties, or for neglecting or failing to perform the same, every such person so bribing or attempting to bribe any of such officers or persons, and every such person so demanding or receiving any bribe, fee, reward, or testimonial shall be deemed guilty of bribery, and on being convicted thereof shall be fined not less than \$100 nor more than \$5,000, or, in the discretion of the court, shall be sentenced to be imprisoned in the penitentiary of this State for not less than two nor more than 12 years, or both fined and imprisoned, and shall also be forever disfranchised and disqualified from holding any office of trust or profit in this State; and any person so bribing or attempting to bribe or so demanding or receiving a bribe shall be a competent witness, and compellable to testify against any person or persons who may have committed any of the aforesaid offenses; provided, that any person so compelled to testify in behalf of the State in any such case shall be exempt from prosecution, trial and punishment for any such crime of which such person so testifying may have been guilty or a participant therein, and about which he was so compelled to testify.

24.

Any person or persons who shall bribe or attempt to bribe any persons participating in or connected in any way with any athletic contest held in this State shall be deemed guilty of bribery, and on being convicted thereof shall be fined not less than one hundred dollars (\$100.00) nor more than five thousand (\$5,000.00), or, in the discretion of the court shall be sentenced to be imprisoned in the penitentiary of this State for not less than six months nor more than three years, or both fined and imprisoned; and any person so bribing or attempting to bribe or so demanding or receiving a bribe shall be a competent witness, and compellable to testify against any person or persons who may have committed any of the aforesaid offenses; provided, that any person so compelled to testify in any such case shall be exempt from trial and punishment for the crime of which such person so testifying may have been a participant].

39.

No person shall refuse to testify concerning the crime of conspiring to commit any of the offenses set forth in § 23 of this article, [subtitle "Bribery; Obstructing Justice", or set forth under the subtitle "Gaming" of this article or set forth under the subtitle "Lotteries" of this article,] and any person shall be a competent witness and compellable to testify against any person or persons who may have conspired to commit any of the aforesaid offenses, provided that any person so compelled to testify in behalf of the State in any such case, shall be exempt from prosecution, trial and punishment for any and all such crimes and offenses of which such person so testifying may have been guilty or a participant or a conspirator therein and about which he was so compelled to testify.

[262.

No person shall refuse to testify concerning any gaming or betting because his testimony would implicate himself and he shall be a competent witness and compellable to testify against any person or persons who may have committed any of the offenses set forth under this subtitle, provided that any person so compelled to testify in behalf of the State in any such case shall be exempt from prosecution, trial and punishment for any and all such crimes and offenses of which such person so testifying may have been guilty or a participant and about which he was so compelled to testify.]

298.

[(c) No person shall, upon pain of contempt of court, refuse to testify concerning any violations of the provisions of this subheading because his testimony might tend to incriminate him or implicate him in such violations -{and every}- EVERY such person shall be a competent witness and compellable to testify against any person who may have committed any of the

~~offenses set forth under this subheading, provided that--
EXCEPT AS OTHERWISE PROVIDED UNDER § 9-123 OF THE COURTS ARTICLE,~~
any person so compelled to testify on behalf of the State in any such case shall be exempt from prosecution, trial, and punishment for any and all such crimes and offenses about which such person was so compelled to testify.]

[371.

No person shall refuse to testify concerning any lotteries because his testimony would implicate himself and he shall be a competent witness and compellable to testify against any person or persons who may have committed any of the offenses set forth under this subtitle, provided that any person so compelled to testify in behalf of the State in any such case shall be exempt from prosecution, trial and punishment for any and all such crimes and offenses of which such person so testifying may have been guilty as a participant therein and about which he was so compelled to testify.]

400.

[(a)] It is unlawful for any person under the age of 21 years to knowingly and willfully make any misrepresentation or false statement as to the person's age and, by reason of the misrepresentation or false statement, obtain any alcoholic beverages from any person licensed to sell alcoholic beverages under the laws of this State.

[(b) The testimony given by a person under 21 years of age in the prosecution of any person for unlawfully selling alcoholic beverages to persons under 21 years of age may not be used against the person giving the testimony in prosecuting that person for violations of this section.]

[540.

No person shall be excused from attending and testifying, or producing any books, papers, or other documents before any court, or grand jury upon any investigation, proceeding or trial, for or relating to or concerned with a violation of any section of this subtitle or attempt to commit such violation, upon the ground or for the reason that the testimony or evidence, documentary or otherwise, required of him by the State may tend to convict him of a crime or to subject him to a penalty or forfeiture; but no person shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter or thing concerning which he may so testify or produce evidence, documentary or otherwise, and no testimony so given or produced shall be received against him, upon any criminal investigation, proceeding or trial, except upon a prosecution for perjury or contempt of court based upon the giving or producing of such testimony.]

Article 33 - Election Code

26-16.

(c) It shall be the duty of the State's Attorney of Baltimore City and of the State's Attorney of each county of this State to prosecute, by the regular course of criminal procedure, any person whom he may believe to be guilty of having wilfully violated any of the provisions of this section within the city or county for which said State's Attorney may be acting as such. [In any criminal prosecution under this subtitle or for violation of any of the provisions thereof, no witness, except the person who is accused and on trial, shall be excused from answering any question or producing any book, paper or other thing on the ground or claim that his answer, or the thing produced or to be produced, by him may tend to incriminate or degrade him, or render him liable to a penalty, provided that any person answering such a question or so producing a thing shall be exempt from prosecution, trial and punishment for any offense of which that person may have been guilty or a participant therein, and about which he gives such an answer or so produces a thing, except in a prosecution for perjury in so testifying.]

Article - Courts and Judicial Proceedings

9-123.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

{2}--"COURT"--MEANS-A-CIRCUIT-COURT.

{3} (2) "OTHER INFORMATION" INCLUDES ANY BOOK, PAPER, DOCUMENT, RECORD, RECORDING, OR OTHER MATERIAL.

{4} (3) "PROSECUTOR" MEANS:

(I) THE STATE'S ATTORNEY FOR A COUNTY;

(II) A DEPUTY STATE'S ATTORNEY;

{111}--THE--STATE--PROSECUTOR--APPOINTED--UNDER ARTICLE-107--§-33-OF-THE-CODE;

{1V} (III) THE ATTORNEY GENERAL OF THE STATE;

OR

{V} (IV) A DEPUTY ATTORNEY GENERAL OR DESIGNATED ASSISTANT ATTORNEY GENERAL.

(B) (1) IF A WITNESS REFUSES, ON THE BASIS OF THE PRIVILEGE AGAINST SELF-INCRIMINATION, TO TESTIFY OR PROVIDE OTHER INFORMATION IN A CRIMINAL PROSECUTION OR A PROCEEDING BEFORE A

GRAND JURY OF THE STATE, INVOLVING A CRIME OF VIOLENCE, AS DEFINED IN ARTICLE 27, § 643B OF THE CODE, OR AN OFFENSE UNDER ARTICLE 27, § 286 OR § 286A OF THE CODE, AND THE COURT ISSUES AN ORDER TO TESTIFY OR PROVIDE OTHER INFORMATION UNDER SUBSECTION (C) OF THIS SECTION, THE WITNESS MAY NOT REFUSE TO COMPLY WITH THE ORDER ON THE BASIS OF THE PRIVILEGE AGAINST SELF-INCRIMINATION.

(2) NO TESTIMONY OR OTHER INFORMATION COMPELLED UNDER THE ORDER, AND NO INFORMATION DIRECTLY OR INDIRECTLY DERIVED FROM THE TESTIMONY OR OTHER INFORMATION, MAY BE USED AGAINST THE WITNESS IN ANY CRIMINAL CASE, EXCEPT IN A PROSECUTION FOR PERJURY, OBSTRUCTION OF JUSTICE, OR OTHERWISE FAILING TO COMPLY WITH THE ORDER.

(C) IF AN INDIVIDUAL HAS BEEN, OR MAY BE, CALLED TO TESTIFY OR PROVIDE OTHER INFORMATION IN A CRIMINAL PROSECUTION OR A PROCEEDING BEFORE A GRAND JURY OF THE STATE, INVOLVING A CRIME OF VIOLENCE, AS DEFINED IN ARTICLE 27, § 643B OF THE CODE, OR AN OFFENSE UNDER ARTICLE 27, § 286 OR § 286A OF THE CODE, THE COURT IN WHICH THE PROCEEDING IS OR MAY BE HELD SHALL ISSUE, ON THE REQUEST OF THE PROSECUTOR MADE IN ACCORDANCE WITH SUBSECTION (D) OF THIS SECTION, AN ORDER REQUIRING THE INDIVIDUAL TO GIVE TESTIMONY OR PROVIDE OTHER INFORMATION WHICH THE INDIVIDUAL HAS REFUSED TO GIVE OR PROVIDE ON THE BASIS OF THE INDIVIDUAL'S PRIVILEGE AGAINST SELF-INCRIMINATION. THE ORDER SHALL HAVE THE EFFECT PROVIDED UNDER SUBSECTION (B) OF THIS SECTION.

(D) IF A PROSECUTOR SEEKS TO COMPEL AN INDIVIDUAL TO TESTIFY OR PROVIDE OTHER INFORMATION, THE PROSECUTOR SHALL REQUEST, BY WRITTEN MOTION, THE COURT TO ISSUE AN ORDER UNDER SUBSECTION (C) OF THIS SECTION WHEN THE PROSECUTOR DETERMINES THAT:

(1) THE TESTIMONY OR OTHER INFORMATION FROM THE INDIVIDUAL MAY BE NECESSARY TO THE PUBLIC INTEREST; AND

(2) THE INDIVIDUAL HAS REFUSED OR IS LIKELY TO REFUSE TO TESTIFY OR PROVIDE OTHER INFORMATION ON THE BASIS OF THE INDIVIDUAL'S PRIVILEGE AGAINST SELF-INCRIMINATION.

(E) IF A WITNESS REFUSES TO COMPLY WITH AN ORDER ISSUED UNDER SUBSECTION (C) OF THIS SECTION, ON WRITTEN MOTION OF THE PROSECUTOR AND ON ADMISSION INTO EVIDENCE OF THE TRANSCRIPT OF THE REFUSAL, IF THE REFUSAL WAS BEFORE A GRAND JURY, THE COURT SHALL TREAT THE REFUSAL AS A DIRECT CONTEMPT, NOTWITHSTANDING ANY LAW TO THE CONTRARY, AND PROCEED IN ACCORDANCE WITH SUBTITLE P. OF THE MARYLAND RULES.

SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 298(d) through (g), respectively, of Article 27 - Crimes and Punishments

Ch. 290

LAWS OF MARYLAND

of the Annotated Code of Maryland be renumbered to be Section(s) 298(c) through (f), respectively.

SECTION -2- 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1989.

Approved May 19, 1989.

CHAPTER 290

(House Bill 359)

AN ACT concerning

Motorcycles - Driver's License - Minors -
Motorcycle Safety Course

FOR the purpose of prohibiting the Motor Vehicle Administration from issuing to an individual under a certain age a license to drive a motorcycle unless the individual has completed satisfactorily a certain motorcycle safety course.

BY repealing and reenacting, with amendments,

Article - Transportation
Section 16-103
Annotated Code of Maryland
(1987 Replacement Volume and 1988 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Transportation

16-103.

(a) Except as provided in subsection (b) of this section, the Administration may not issue a driver's license to any individual who is not at least 18 years old.

(b) (1) [The] EXCEPT AS PROVIDED UNDER PARAGRAPH (3) OF THIS SUBSECTION, THE Administration may issue a Class B, D, or E license to an individual under the age of 18, if he is at least 16 years old and has completed satisfactorily a driver's education course approved under Subtitle 5 of this title.

STATE OF MARYLAND

* IN THE 2016 JAN -6 P 4: 22

* CIRCUIT COURT FORAL DIVISION

v.

* BALTIMORE CITY

CAESAR GOODSON

* Case No. 115141032

* * * * *

ORDER

On January 6, 2016, during a pre-trial motions hearing for the above-captioned case, the State presented this Court with its written Motion to Compel a Witness to Testify Pursuant to Section 9-123 of the Courts and Judicial Proceedings Article. During this hearing, counsel for the Defendant incorporated their arguments from their Motion to Quash Trial Subpoena of Officer William Porter.

Based on the motions, arguments, and testimony presented during the hearing, this Court finds that Officer William Porter, D.O.B. 6/29/1989, has been called by the State as a witness to testify in the above-captioned case but that Officer Porter has refused to testify on the basis of his privilege against self-incrimination. This Court further finds that the State's Motion to Compel Officer Porter's testimony complies with the requirements of Section 9-123 of the Courts and Judicial Proceedings Article. For these reasons, it is this 6th day of January, 2016, by the Circuit Court for Baltimore City, hereby

ORDERED that the State's Motion to Compel a Witness to Testify Pursuant to Section 9-123 of the Courts and Judicial Proceedings Article is **GRANTED**, and further

ORDERED that Officer William Porter, D.O.B. 6/26/1989, shall testify as a witness for the State in the above-captioned case and may not refuse to comply with this Order on the basis of his privilege against self-incrimination, and further

ORDERED that no testimony of Officer William Porter, D.O.B. 6/26/1989, compelled pursuant to this Order, and no information directly or indirectly derived from the testimony of Officer Porter compelled pursuant to this Order, may be used against Officer Porter in any criminal case, except in a prosecution for perjury, obstruction of justice, or otherwise failing to comply with this Order.

Judge Barry G. Williams
Circuit Court for Baltimore City
Signature appears on the original document

BARRY G. WILLIAMS
JUDGE, CIRCUIT COURT FOR
BALTIMORE CITY

TRUE COPY
TEST



DAVINIA G. ALEXANDER, CLERK



Clerk, please mail copies to the following:
Joseph Murtha, Attorney for William Porter
Janice Bledsoe, Deputy State's Attorney, Office of the State's Attorney for Baltimore City

FILED FOR RECORD
CIRCUIT COURT FOR
BALTIMORE CITY
2016 JAN -7 A 11:21
CLERK'S DIVISION

STATE OF MARYLAND

* IN THE

v.

* CIRCUIT COURT FOR

* BALTIMORE CITY

ALICIA WHITE

* Case No. 115141036

* * * * *

ORDER

On January 6, 2016, during a pre-trial motions hearing for *State v. Caesar Goodson*, Case No. 115141032, the State presented this Court with its written Motion to Compel a Witness to Testify Pursuant to Section 9-123 of the Courts and Judicial Proceedings Article in order to compel Officer William Porter to testify as a State's witness during the *Goodson* case. During this hearing, counsel for the Defendant incorporated their arguments from their Motion to Quash Trial Subpoena of Officer William Porter. Counsel for the Defendant and the State incorporated their arguments for application to the above-captioned case. After the hearing, the State presented this Court with its written Motion to Compel a Witness to Testify Pursuant to Section 9-123 of the Courts and Judicial Proceedings Article, in order to compel Officer William Porter to testify in the above-captioned case.

Based on the motions, arguments, and testimony presented during the hearing, this Court finds that the State plans to call Officer William Porter, D.O.B. 6/29/1989, as a witness to testify in the above-captioned case but that Officer Porter is likely to refuse to testify on the basis of his privilege against self-incrimination. This Court further finds that the State's Motion to Compel Officer Porter's testimony complies with the requirements of Section 9-123 of the Courts and Judicial Proceedings Article. For these reasons, it is this 7th day of January, 2016, by the Circuit Court for Baltimore City, hereby

ORDERED that the State's Motion to Compel a Witness to Testify Pursuant to Section 9-123 of the Courts and Judicial Proceedings Article is **GRANTED**, and further

ORDERED that Officer William Porter, D.O.B. 6/26/1989, shall testify as a witness for the State in the above-captioned case and may not refuse to comply with this Order on the basis of his privilege against self-incrimination, and further

ORDERED that no testimony of Officer William Porter, D.O.B. 6/26/1989, compelled pursuant to this Order, and no information directly or indirectly derived from the testimony of Officer Porter compelled pursuant to this Order, may be used against Officer Porter in any criminal case, except in a prosecution for perjury, obstruction of justice, or otherwise failing to comply with this Order.

Judge Barry G. Williams

Judge's Signature appears on the
original document

BARRY G. WILLIAMS
JUDGE, CIRCUIT COURT FOR
BALTIMORE CITY

Clerk, please mail copies to the following:

Joseph Murtha, Attorney for William Porter

Janice Bledsoe, Deputy State's Attorney, Office of the State's Attorney for Baltimore City