

<b>File No.</b> <div style="text-align: center; font-weight: bold; font-size: 1.2em;">20CR 055017</div>		<b>Law Enforcement Case No.</b>		<b>LID No.</b>	<b>SID No.</b>	<b>FBI No.</b>		
MAGISTRATE'S ORDER		STATE OF NORTH CAROLINA						
<b>Offense</b> I M-FAIL TO DISPERSE ON COMMAND		In The General Court Of Justice District Court Division  ALAMANCE County						
THE STATE OF NORTH CAROLINA VS.		I, the undersigned, find that the defendant named above has been arrested without a warrant and the defendant's detention is justified because there is probable cause to believe that on or about the date of offense shown and in the county named above the defendant named above unlawfully and willfully did FAIL TO VACATE THE PREMISES AFTER VIOLATING THE PERMIT AND FAILING TO HEED COMMANDS. GIVEN 3 WARNINGS WITH 5 MINUTES IN BETWEEN THE WARNINGS						
<b>Name And Address Of Defendant</b> HANNAH ELYSE GARCIA  102 CAMPUS WALK TRL  ELON NC ALAMANCE COUNTY								
<b>Race</b>	<b>Sex</b>						<b>Date Of Birth</b>	<b>Age</b>
W	F						07/17/1999	
<b>Social Security No.</b>							<b>Drivers License No. &amp; State</b>	
<b>Name Of Defendant's Employer</b>								
<b>Offense Code(s)</b>							<b>Offense In Violation Of G.S.</b>	
I 5312							I 14-288.5	
<b>Date Of Offense</b>								
10/31/2020								
<b>Date Of Arrest &amp; Check Digit No. (As Shown On Fingerprint Card)</b>								
10/31/20 2018 UCR								
<b>Arresting Officer (Name, Address Or Department)</b> MICHAEL DEAN CULLER ALAMANCE COUNTY SHERIFFS OFFICE 109 SOUTH MAPLE ST GRAHAM NC 27253 ALAMANCE COUNTY (336) 570-6300								
<b>Names &amp; Addresses Of Witnesses (Including Counties &amp; Telephone Nos.)</b> MARK A DOCKERY JR JR. ALAMANCE COUNTY SHERIFFS OFFICE 109 SOUTH MAPLE ST GRAHAM NC 27253 ALAMANCE COUNTY (336) 570-6300								
<input type="checkbox"/> Misdemeanor Offense Which Requires Fingerprinting Per Fingerprint Plan		<b>Date Issued</b> 10/31/2020		<b>Signature</b> H B RODGERS		<b>Location Of Court</b> Alamance County Courthouse; CRMB 212 W ELM ST GRAHAM,NC 27253		
		<input checked="" type="checkbox"/> Magistrate <input type="checkbox"/> Deputy CSC <input type="checkbox"/> Assistant CSC <input type="checkbox"/> Clerk Of Superior Court		<b>Court Date</b> 11/12/2020  <b>Court Time</b> 09:00 <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM				

District Attorney		<input type="checkbox"/> Waived <input type="checkbox"/> Not Indigent <input type="checkbox"/> Denied		Attorney For Defendant		<input type="checkbox"/> Appointed <input type="checkbox"/> Retained		<b>PRIOR CONVICTIONS:</b> No./Level: <u>0</u> <input type="checkbox"/> I (0) <u>  </u> <input type="checkbox"/> II (1-4) <u>  </u> <input type="checkbox"/> III (5+)		
PLEA: <input type="checkbox"/> guilty <input type="checkbox"/> no contest _____ <input type="checkbox"/> guilty <input type="checkbox"/> no contest _____ <input type="checkbox"/> guilty <input type="checkbox"/> no contest _____ <input type="checkbox"/> not guilty _____		VERDICT: <input type="checkbox"/> guilty _____ <input type="checkbox"/> guilty _____ <input type="checkbox"/> guilty _____ <input type="checkbox"/> not guilty _____		M.CL. <input type="checkbox"/> A1 <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 M.CL. <input type="checkbox"/> A1 <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 M.CL. <input type="checkbox"/> A1 <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3						
JUDGMENT: The defendant appeared in open court and freely, voluntarily and understandingly entered the above plea; on the above verdict, it is <b>ORDERED</b> that the defendant: <input type="checkbox"/> pay costs and a fine of \$ _____. <input type="checkbox"/> be imprisoned for a term of _____ days in the custody of the <input type="checkbox"/> sheriff. <input type="checkbox"/> MCP. <input type="checkbox"/> DAC.* Pretrial credit _____ days served. <input type="checkbox"/> Work release <input type="checkbox"/> is recommended. <input type="checkbox"/> is not recommended. [ <input type="checkbox"/> is ordered. (use form AOC-CR-602)] <input type="checkbox"/> The Court finds that a <input type="checkbox"/> longer <input type="checkbox"/> shorter period of probation, than that which is specified in G.S. 15A-1343.2(d), is necessary. <input type="checkbox"/> Execution of the sentence is suspended and the defendant is placed on unsupervised probation* for _____ months, subject to the following conditions: 1. commit no criminal offense in any jurisdiction. 2. possess no firearm, explosive or other deadly weapon listed in G.S. 14-269. 3. remain gainfully and suitably employed or faithfully pursue a course of study or of vocational training, that will equip the defendant for suitable employment, and abide by all rules of the institution. 4. satisfy child support and family obligations, as required by the Court. 5. pay to the Clerk the costs of court and any additional sums shown below.										
Fine \$ _____		Restitution** \$ _____		Attorney's Fee \$ _____		Community Service Fee \$ _____		Other \$ _____		
**Name(s), address(es), and amount(s) for aggrieved party(ies) to receive restitution: <b>NOTE TO CLERK:</b> Record SSN or Tax ID No. of aggrieved party(ies) on AOC-CR-382, "Certification Of Identity (Victims' Restitution)/Certification Of Identity (Witness Attendance)."										
<input type="checkbox"/> 6. complete _____ hours of community service during the first _____ days of probation, as directed by the judicial services coordinator, and pay the fee prescribed by G.S. 143B-708 within _____ days. <input type="checkbox"/> 7. not be found in or on the premises of the complainant or _____ <input type="checkbox"/> 8. not assault, communicate with or be in the presence of the complainant or _____ <input type="checkbox"/> 9. provide a DNA sample pursuant to G.S. 15A-266.4. (AOC-CR-319) <input type="checkbox"/> 10. Other: _____ _____ _____ _____ _____										
<b>APPEAL ENTRIES</b>										
<input type="checkbox"/> The defendant, in open court, gives notice of appeal to the <input type="checkbox"/> District <input type="checkbox"/> Superior Court. <input type="checkbox"/> The current pretrial release order is modified as follows:										
Date		Signature Of District Court Judge Or Magistrate								
<b>WAIVER OF PROBABLE CAUSE HEARING</b>										
The undersigned defendant, with the consent of his/her attorney, waives the right to a probable cause hearing.										
Date Waived		Signature Of Defendant								
		Signature Of Attorney								
Date		Name Of District Court Judge Or Magistrate (Type Or Print)				Signature Of District Court Judge Or Magistrate				
<b>CERTIFICATION</b>										
I certify that this Judgment is a true and complete copy of the original which is on file in this case.										
Date		Date Delivered To Sheriff		Signature		<input type="checkbox"/> Dep. CSC <input type="checkbox"/> Asst. CSC <input type="checkbox"/> CSC				

STATE OF NORTH CAROLINA		File No. 20CR 055017	
ALAMANCE County		In The General Court Of Justice <input checked="" type="checkbox"/> District <input type="checkbox"/> Superior Court Division	
STATE VERSUS		CONDITIONS OF RELEASE AND RELEASE ORDER	
Name And Address Of Defendant HANNAH ELYSE GARCIA 102 CAMPUS WALK TRL ELON NC		# 20RO1051163 Amount Of Bond \$ G.S. Chapter 15A, Art. 25, 26	
Offenses And Additional File Numbers 20CR55017 MAG ORDR; M-FAIL TO DISPERSE ON COMMAND			
Location Of Court Alamance County Courthouse; CRMB		<input checked="" type="checkbox"/> District <input type="checkbox"/> Superior	Date 11/12/2020 Time 09:00 <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM
<p>To The Defendant Named Above, you are ORDERED to appear before the Court as provided above and at all subsequent continued dates. If you fail to appear, you will be arrested and you may be charged with the crime of willful failure to appear. You also may be arrested without a warrant if you violate any condition of release in this Order or in any document incorporated by reference.</p> <p>The defendant has been advised of charge(s) against him/her and his/her right to communicate with counsel and friends.</p> <p><input checked="" type="checkbox"/> Your release is authorized upon execution of your: <input checked="" type="checkbox"/> WRITTEN PROMISE to appear <input type="checkbox"/> UNSECURED BOND in the amount shown above</p> <p><input type="checkbox"/> CUSTODY RELEASE <input type="checkbox"/> SECURED BOND in the amount shown above (NOTE: Give a copy of this order to any surety who posts bond.)</p> <p><input type="checkbox"/> HOUSE ARREST with ELECTRONIC MONITORING administered by (agency) and the SECURED BOND above. You may leave your residence for the purpose(s) of <input type="checkbox"/> employment <input type="checkbox"/> counseling <input type="checkbox"/> course of study <input type="checkbox"/> vocational training</p> <p>NOT BE IN THE CITY OF GRAHAM FOR THE NEXT 72 HOURS UNLESS FOR COURT OR WORK PURPOSES. NOT KNOWINGLY VIOLATE ANY CURFEW OR OTHER RESTRICTIONS OF ASSEMBLY IMPOSED BY ANY STATE OF EMERGENCY.</p> <p><input type="checkbox"/> Your release is not authorized.</p> <p><input type="checkbox"/> The defendant is required to provide (check all that apply) <input type="checkbox"/> fingerprints under G.S. 15A-502. <input type="checkbox"/> a DNA sample under G.S. 15A-266.3A. Prior to release, the defendant shall provide his/her (check all that apply) <input type="checkbox"/> fingerprints. <input type="checkbox"/> DNA sample.</p> <p><input type="checkbox"/> The defendant has been <input type="checkbox"/> (i) charged with a felony while on probation (complete AOC-CR-272, Side One). <input type="checkbox"/> (ii) arrested for violation of probation with a pending felony charge or prior conviction requiring registration under G.S. 14, Article 27A (complete AOC-CR-272, Side Two).</p> <p><input type="checkbox"/> This Order is entered upon defendant's warrantless arrest for violation of conditions of release entered previously for the above-captioned case in the Order dated</p> <p><input type="checkbox"/> The defendant was arrested or surrendered after failing to appear as required under a prior release order.</p> <p><input type="checkbox"/> This was the defendant's second or subsequent failure to appear in this case.</p> <p><input type="checkbox"/> Your release is subject to the conditions as shown on the attached <input type="checkbox"/> AOC-CR-270. <input type="checkbox"/> Other:</p>			
Additional Information			
Date 10/31/2020	Signature Of Judicial Official H B RODGERS	<input checked="" type="checkbox"/> Magistrate <input type="checkbox"/> Deputy CSC <input type="checkbox"/> Assistant CSC <input type="checkbox"/> Clerk Of Superior Court <input type="checkbox"/> District Court Judge <input type="checkbox"/> Superior Court Judge	
ORDER OF COMMITMENT			
<p>To The Custodian Of The Detention Facility Named Below, you are ORDERED to receive in your custody the defendant named above who may be released if authorized above. If the defendant is not sooner released, you are ORDERED to: <input type="checkbox"/> produce him/her in Court as provided above.</p> <p><input type="checkbox"/> hold him/her <input type="checkbox"/> as provided on the attached AOC-CR-272. <input type="checkbox"/> for the following purpose:</p> <p><input type="checkbox"/> [for charges covered by G.S. 15A-534.1 (domestic violence) or 15A-534.7 (threat of mass violence)] produce him/her at the first session of District or Superior Court held in this county after the entry of this Order or, if no session is held before (enter date and time 48 hours after time of arrest) <input type="checkbox"/> AM <input type="checkbox"/> PM produce him/her before a magistrate of this county at that time to determine conditions of pretrial release.</p>			
Name Of Detention Facility	Date	Signature Of Judicial Official H B RODGERS	
WRITTEN PROMISE TO APPEAR OR CUSTODY RELEASE			
I, the undersigned, promise to appear at all hearings, trials or otherwise as the Court may require and to abide by any restrictions set out above. I understand and agree that this promise is effective until the entry of judgment in the District Court from which no appeal is taken or until the entry of judgment in Superior Court. If I am released to the custody of another person, I agree to be placed in that person's custody, and that person agrees by his/her signature to supervise me.			
Date 10/31/2020	Signature Of Defendant Hannah Garcia	Signature Of Person Agreeing To Supervise Defendant	
Name Of Person Agreeing To Supervise Defendant (type or print)		Address Of Person Agreeing To Supervise Defendant	
DEFENDANT RELEASED ON BAIL			
Date 10-31-20	Time 1731	<input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	Signature Of Jailer CPL. Wise
AOC-CR-200, Rev. 12/18 © 2018 Administrative Office of the Courts ORIGINAL COPY			



# CONDITIONS OF RELEASE MODIFICATIONS

The Conditions of Release on the reverse are modified as follows:

Modification	Date	Signature Of Judicial Official

# SUPPLEMENTAL ORDERS FOR COMMITMENT

The defendant is next Ordered produced in Court as follows:

Date	Time	Place	Purpose	Signature Of Judicial Official

# DEFENDANT RECEIVED BY DETENTION FACILITY

Date	Time	Signature Of Jailer
10-31-20	1734	Cpl. Wise

# DEFENDANT RELEASED FOR COURT APPEARANCE

Date	Time	Signature Of Jailer

NOTE TO CUSTODIAN: This form shall accompany the defendant to court for all appearances.

AOC-CR-200, Side Two, Rev. 12/18

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## STATE OF NORTH CAROLINA

File No.

20CR55017

ALAMANCE

County

In The General Court Of Justice

☒ District ☐ Superior Court Division

## STATE VERSUS

Name Of Defendant

Hannah Garcia

## WAIVER OF COUNSEL

G.S. 7A-457; 15A-1242

Additional File No.(s) And/Or Offense(s)

## ACKNOWLEDGMENT OF RIGHTS AND WAIVER

As the undersigned party in this action, I freely and voluntarily declare that I have been fully informed of the charges against me, the nature of and the statutory punishment for each such charge, and the nature of the proceedings against me; that I have been advised of my right to have counsel assigned to assist me and my right to have the assistance of counsel in defending against these charges or in handling these proceedings, and that I fully understand and appreciate the consequences of my decision to waive the right to assigned counsel and the right to assistance of counsel.

I freely, voluntarily and knowingly declare that:

(check only one)

- ☒ 1. I waive my right to assigned counsel and that I, hereby, expressly waive that right.
- ☐ 2. I waive my right to all assistance of counsel which includes my right to assigned counsel and my right to the assistance of counsel. In all respects, I desire to appear in my own behalf, which I understand I have the right to do.

## SWORN AND SUBSCRIBED TO BEFORE ME

Date

11/12/2020

Date

11/12/20

Signature

K M

Signature Of Defendant

Hannah Garcia

☐ Judge☐ Clerk Of Superior Court☐ Asst. CSC☒ Deputy CSC☐ Magistrate

## CERTIFICATE OF JUDICIAL OFFICIAL

I certify that the above named defendant has been fully informed of the charges against him/her, the nature of and the statutory punishment for each charge, and the nature of the proceeding against the defendant and his/her right to have counsel assigned by the court and his/her right to have the assistance of counsel to represent him/her in this action; that the defendant comprehends the nature of the charges and proceedings and the range of punishments; that he/she understands and appreciates the consequences of his/her decision and that the defendant has voluntarily, knowingly and intelligently elected in open court to be tried in this action:

(check only one)

- ☒ 1. without the assignment of counsel.
- ☐ 2. without the assistance of counsel, which includes the right to assigned counsel and the right to assistance of counsel.

NOTE: For a waiver of assigned counsel only, both blocks numbered "1" must be checked. For a waiver of all assistance of counsel, both blocks numbered "2" must be checked.

Date

11-12-2020

Signature Of Judicial Official

Shelley D. Rumble

Name Of Judicial Official (Type Or Print)

NOTE: A magistrate may accept waivers of counsel if designated to do so by the Chief District Court Judge. See G.S. 7A-146(11) and G.S. 7A-292(15).





STATE OF NORTH CAROLINA

COUNTY OF ALAMANCE

IN THE GENERAL COURT OF JUSTICE  
DISTRICT COURT DIVISION

20 CR 55017

STATE OF NORTH CAROLINA )

V )

HANNAH ELYSE GARCIA )

Defendant )

NOTICE OF APPEARANCE


Comes now Patrick E. Morgan, Attorney at Law, and

- ☐ pursuant to the provisions of N.C. General Statute §15A-141(1) hereby files a notice of his/her General Appearance in the above-captioned case on behalf of the above-named Defendant.
- ☒ pursuant to the provisions of N.C. General Statute §15A-141 (3) hereby indicates to the Court that he/she is appearing in the above-captioned case for the limited purpose of representing the named Defendant

☒ in the District Court proceedings herein, and for no other purpose.

☐ in the District Court proceedings of \_\_\_\_\_ and for for no other purpose.

Respectfully submitted, this 12 day of November, 20 20

  
\_\_\_\_\_  
Attorney of Record

209 Lloyd St., Suite 120

Carrboro, NC 27510  
Address

919-923-1577  
Phone #

THE NEW YORK PUBLIC LIBRARY  
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STATE OF NORTH CAROLINA IN THE GENERAL COURT OF JUSTICE  
COUNTY OF ALAMANCE DISTRICT COURT DIVISION  
FILE NO.: 20CR055017

ALAMANCE CO., C.S.C.  
STATE OF NORTH CAROLINA  
V. ) MOTION FOR PRODUCTION  
HANNAH ELYSE GARCIA, ) OF BRADY MATERIAL  
Defendant. )

THE DEFENDANT, by and through counsel and pursuant to the Due Process Clause of the Fourteenth Amendment to the United States Constitutions as interpreted in Brady v. Maryland, 373 U.S. 83 (1963) and its progeny, hereby requests that this Honorable Court direct the State to furnish to the Court any evidence, material, or information within the possession, custody, or control of the State, or that by the exercise of reasonable diligence may be obtained by the State, that is favorable to or exculpates in any way the Defendant or tends to establish a defense in whole or in part to the allegations in the charge or may help the Defendant avoid conviction or mitigate punishment or relates to the credibility of any of the State's witnesses. In support of this motion the Defendant respectfully shows the Court the following:

1. Defendant is charged with misdemeanor Fail to Disperse on Command with an alleged offense date of 10/31/2020. The specific allegations against Defendant are that she "failed to vacate the premises after violating the permitting process and failing to heed commands. given 3 warning with 5 minutes in between the warnings.." Deputy Michael Dean Culler of the Alamance County Sheriff's Office was the arresting officer, and Deputy Mrak A Dockery Jr. of the Alamance County Sheriff's Office is listed as a witness.
2. The Defendant believes there are investigative reports, communications by and between law enforcement officers, including but not limited to the Graham Police Department, the

Burlington Police Department, and the Alamance County Sherriff's Office ("LEOs"), communications between LEOs and the District Attorney's Office, and bodycam or dashcam video that would show the events leading to the charges against the Defendant and would provide impeachment or exculpatory information. These items specifically include:

- a. Emails concerning Defendant and the incidents related to his arrest;
- b. Text messages and instant messages to and from officers regarding the events surrounding Defendant's arrest;
- c. Two-way dispatch messages;
- d. 911 calls;
- e. Audio and/or videotapes (including those captured via body cameras or cell phone cameras);
- f. Any records stored, sent, or received via Dropbox or similar cloud computing or FTP (file transfer protocol) websites;
- g. All electronic devices including but not limited to computers, laptops, iPads, cellular phones, and smart phones that may contain discoverable material relative to the above investigation and prosecution;
- h. All social media accounts that may bear upon the above prosecution including but not limited to Facebook, Google, AOL, Yahoo, Twitter, Instagram, SnapChat, TikTok, and any online cloud backups which may contain information related to this prosecution and related investigation;
- i. All handwritten notes of LEOs;
- j. All handwritten or memorialized notes of the prosecutor concerning witness interviews of law enforcement officers, experts, and lay witnesses involved in the



above prosecution where questionable Brady material may be located as determined by the Court after *in camera* review. Such notes are intended to include but are not limited to investigations and trial preparation of witnesses;

- k. Any and all electronic devices including cell phones and computers belonging to witnesses listed by the State, which may contain Brady material;
- l. The name and address of any witness known to the prosecution that has given a statement to the prosecution or LEOs that is contrary to the prosecution's theory of the case as well as any witness or evidence that would support a valid defense;
- m. Any favorable treatment of any kind given or offered to any government witness in return for cooperation as well as any favorable treatment, money or anything of value requested by a state witness in return for cooperation;
- n. All contents of investigative files (to include all agencies that contributed to the prosecution) that include notes, memorandum, and reports. This also applies to the notes of any witness coordinator.

3. Decisions interpreting Brady have held that "Brady" information includes the following items:

- a. Exculpatory statements or statements of an exculpatory nature the Defendant made to LEOs at any time;
- b. Evidence that is inconsistent with the State's theory of prosecution;
- c. Names and addresses of eyewitnesses whom the prosecution does not intend to call at trial; and

d. Impeachment material regarding the State's witnesses. United States v. Bagley, 473 U.S. 667 (1985); Giglio v. United States, 405 U.S. 150 (1972). Impeachment materials include, among other things:

- i. prior convictions of witnesses;
- ii. prior material acts of misconduct of a witness;
- iii. pending criminal charges against a witness;
- iv. evidence that a witness has a character trait for dishonesty;
- v. evidence that a witness has a motive to fabricate testimony;
- vi. that a witness is suffering from, or has suffered from any type of mental health problem; and
- vii. any prior inconsistent statements of a witness.

4. Although there is limited statutory authority for the production of discovery in District Court in North Carolina, the United States Constitution applies in District Court and mandates the disclosure of Brady material by prosecutors a reasonable time prior to trial pursuant to the Due Process clause of the Fourteenth Amendment. State v. Cornett, 177 N.C. App. 452, 629 S.E.2d 857 (2006); State v. Marino, 747 S.E.2d 633 (2013).

5. The Defendant requests that the Court order the production of the complete investigation of this incident, including investigative reports, communications by and between LEOs, communications between LEOs and the District Attorney's Office, and bodycam or dashcam video.

6. The defendant will be denied the opportunity for a fair trial in the event that she is unable to have access to the information referenced in this motion. Such denial would constitute a




violation of Defendant's constitutional rights under the United States and North Carolina constitutions.

WHEREFORE, the Defendant requests that the Honorable Court grant the following relief:

1. Grant this Motion for disclosure of Brady materials, and issue an Order requiring the State to turn over the requested materials,
2. Dismiss the charges against Defendant if the State fails to produce the requested materials, and
3. For any other relief the Court deems just and necessary

Respectfully submitted, this the 11 day of January, 2021.

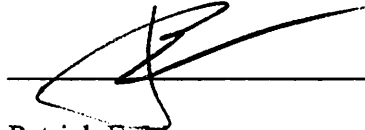


Patrick E. Morgan  
Attorney for Defendant  
N. C. State Bar # 38379  
Morgan & Cesanelli Law, PLLC  
209 Lloyd St., Suite 120  
Carrboro, N.C. 27510  
Tel: 919-923-1577  
Fax: 919-928-5149  
[patrick@morgancesanelli.com](mailto:patrick@morgancesanelli.com)

### **CERTIFICATE OF SERVICE**

I, Patrick E. Morgan, hereby certify that I did serve a true copy of this motion upon the office of the District Attorney in and for Alamance County by emailing a copy to the District Attorney or an agent of the same.

This the 11 day of January, 2021,

A handwritten signature in black ink, appearing to be 'P. Morgan', is written over a horizontal line.

Patrick E. Morgan  
Attorney for Defendant  
N. C. State Bar # 38379  
Morgan & Cesanelli Law, PLLC  
209 Lloyd St., Suite 120  
Carrboro, N.C. 27510  
Tel: 919-923-1577  
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STATE OF NORTH CAROLINA  
COUNTY OF ALAMANCE

IN THE GENERAL COURT OF JUSTICE  
DISTRICT COURT DIVISION  
FILE NO.: 20CR055017

STATE OF NORTH CAROLINA

V.

HANNAH ELYSE GARCIA,  
Defendant.

)  
)  
)  
)  
)  
)

ORDER FOR PRODUCTION  
OF *BRADY* MATERIAL

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THIS MATTER HAVING come before the undersigned Presiding District Court Judge on the Defendant's motion pursuant to Brady v. Maryland, 373 U.S. 83 (1963); United States v. Bagley, 473 U.S. 667, 676-77 (1985); and Pennsylvania v. Ritchie, 480 U.S. 39 (1987), it is hereby ORDERED AND DECREED that the Graham Police Department, the Burlington Police Department, the Alamance County Sheriff's Office, and the Alamance County District Attorney's Office shall produce all investigative materials related to the incident giving rise to this criminal prosecution, including all internal affairs investigative material, to Counsel for the Defense Patrick E. Morgan at 209 Lloyd St., Suite 120, Carrboro, NC 27510 on or before \_\_\_\_\_. Any disputed Records shall be reviewed for exculpatory impeachment material relevant to the Defense by the Court. Any material that is disclosed to the Defense shall be disclosed to the State. All material that is not disclosed shall be sealed, marked, and made part of the record in this case for appeal.

So Ordered this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

---

District Court Judge Presiding

### **CERTIFICATE OF SERVICE**

I, Patrick E. Morgan, hereby certify that I did serve a true copy of this Order upon the office of the District Attorney in and for Alamance County by emailing a copy to the District Attorney or an agent of the same.

This the \_\_ day of January, 2021.

---

Patrick E. Morgan  
Attorney for Defendant  
N. C. State Bar # 38379  
Morgan & Cesanelli Law, PLLC  
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