

IN THE CIRCUIT COURT, FOURTEENTH JUDICIAL CIRCUIT
OF THE STATE OF FLORIDA, IN AND FOR BAY COUNTY

STATE OF FLORIDA,

CASE NO. 06-4016-CFMA

Plaintiffs,

v.

HENRY DICKENS
CHARLES ENFINGER

RAYMOND HAUCK

KRISTIN SCHMIDT
JOSEPH WALSH II

Defendants.

HAROLD BAZZEL
CLERK OF CIRCUIT COURT
BAY COUNTY, FLORIDA

2007 AUG 23 P 4:02

FILED

**MOTION TO ALLOW ISSUANCE OF
SUBPOENA DUCES TECUM WITHOUT DEPOSITION**

COMES NOW the Defendant, RAYMOND HAUCK, by and through his undersigned attorney, and moves this court for entry of an order directing the clerk to issue a subpoena duces tecum without deposition, and as grounds therefore would show:

1. The Defendant has been accused of the offense of aggravated manslaughter. The alleged victim is Martin Lee Anderson.
2. Based upon the discovery conducted, the undersigned has found that Martin Lee Anderson was treated at Life Management Center of Northwest Florida, Inc. (hereinafter referred to as Life Management Center) at times pertinent to this case. Martin Lee Anderson's medical records from Life Management Center have not been produced by the State of Florida in discovery, although the State has produced other Martin Lee Anderson medical records.
3. Defendant needs to review the medical records of Martin Lee Anderson from

Life Management Center to properly prepare the defense of his case. These records are requested in conjunction with Martin Lee Anderson's general mental and physical health, as well as his seizure disorder and noncompliance in taking his prescribed dilantin medication. These records are discoverable, and could be pertinent to several issues, including Martin Lee Anderson's medical course and death, his acceptance into the Bay County Boot Camp Program, and impeachment of witnesses.

NOW, WHEREFORE, the Defendant respectfully requests that the court will grant this motion, and direct the clerk to issue a subpoena duces tecum without deposition for the medical records of Martin Lee Anderson from Life Management Center, upon the request of the undersigned defense counsel.

DATED this 23rd day of August, 2007.


STAATS, WHITE & GRABNER



JAMES H. WHITE, JR.
Florida Bar No. 309303
229 McKenzie Avenue
Panama City, FL 32401
(850) 785-1522
ATTORNEY FOR DEFENDANT

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing Motion has been furnished by U.S. Mail, to Michael C. Sinacore, Assistant State Attorney, 800 East Kennedy Boulevard, 3rd Floor, Tampa, Florida 33602-4148; and to those persons set forth in the attached Additional Service List, this 23rd day of August, 2007.



JAMES H. WHITE, JR.

ADDITIONAL SERVICE LIST

1. Ashley S. Benedik, Esquire
1004 Jenks Avenue
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8. Gina Jones, Personal Representative
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