

**IN THE CIRCUIT COURT OF THE SEVENTEENTH CIRCUIT
IN AND FOR BROWARD COUNTY, FLORIDA
CRIMINAL JUSTICE DIVISION**

STATE OF FLORIDA

CASE NO: 16-003828CF10A

v.

**CEDI PACHECO,
Defendant**

JUDGE: FEIN

**MOTION FOR ISSUANCE OF SUBPONEA DUCES TECUM FOR ALL DOCUMENTS
RELATED TO FLOODING OF EVIDENCE ROOM AT THE HOLLYWOOD POLICE
DEPARTMENT**

Defendant, Cedi Pacheco, by and through the undersigned attorney hereby files this Motion for Issuance of Subponea Duces Tecum for all records and documents related to the flooding of the evidence room at the Hollywood Police Department said to have occurred on December 31, 2017, and in support would offer the following:

- 1) The Defendant is charged via the State's Information with Counts I-II - Attempted Murder in the First Degree and Count III - Aggravated Fleeing and Eluding (High Speed Chase).
- 2) On March 12, 2018, the Office of the State Attorney submitted Supplemental Discovery indicating that water damage had occurred to DNA swabs and clothing pertaining to the instant case. (*see attached "Exhibit A"*)
- 3) Assistant State Attorney Alexis Bury has represented to undersigned counsel that said flooding occurred on December 31, 2017 to one of the evidence vaults at the Hollywood Police Department.
- 4) Undersigned counsel has previously made a public records request asking for a copy of any and all documents, reports, memoranda, statements, photographs, video evidence, and any other documents related to the flooding incident in the evidence room. Said request was made to Detective Doyle

whom is said to have information about the flooding incident, and to the agency of the Hollywood Police Department. (**see attached "Exhibit B"**).

- 5) The enclosed public records requests have gone unanswered by the Hollywood Police Department and Detective Doyle.
- 6) On March 15, 2018, a Broward Sheriff's Office Crime Laboratory Report was submitted to undersigned counsel which details DNA Analysis conducted on the alleged perpetrator's clothing, and the vehicle said to have been used by the perpetrator in fleeing the scene of the crime.
- 7) The Office of the State Attorney has submitted property receipts, a spreadsheet detailing all the pieces of evidence as well as the samples/specimens which suffered water damage as a result of the flooding incident at the Hollywood Police Department.
- 8) The State has also added submitted a supplemental discovery filing which adds DETECTIVE KRISTOPHER DOYLE, and ELIZABETH KAMERICK to their witness list in relation to his flooding incident.
- 9) ELIZABETH KAMERICK is an employee of the Hollywood Police Department, and is said to be the supervisor of the evidence room involved with the flooding incident.
- 10) The issue of the flooding incident is directly probative of whether or not the DNA results can and should be considered as being accurate in this case. Especially, in light of the concession of the State that water damage occurred to the pieces of clothing and specimens that were tested and analyzed in this case.
- 11) Undersigned counsel requests that all documents, reports, memoranda, statements, photographs, video evidence, and any and all other documents related to the internal investigation conducted by the City of Hollywood Police Department regarding flooding to the evidence room be provided in this case.
- 12) The information requested is necessary for this counsel to have prior to his taking of the depositions of State's witnesses, KRISTOPHER DOYLE,

ELIZABETH KAMERICK, and DNA ANALYST REBECCA SANTIAGO.

13)Undersigned counsel requests that this Court enter an Order providing for a Subponea Duces Tecum to be issued to DETECTIVE KRISTOPHER DOYLE and ELIZABETH KAMERICK directing them to comply with the above requested information within ten (10) days of receiving said subponea duces tecum.

WHEREFORE, Defendant requests that this Honorable Court enter an Order Duces Tecum requiring DETECTIVE KRISTOPHER DOYLE and ELIZABETH KAMERICK to provide the requested documents and materials described herein within ten (10) days of receiving a Subponea and Order Duces Tecum.

Certificate of Service

I HEREBY CERTIFY that a copy of the foregoing was forwarded to the Office of the State Attorney, Attn: Assistant State Attorney Alexis Bury; courtdocs@sao17.state.fl.us, and Neil Kerch, Esq. (Atty. for Co-Defendant, Cesar Diaz); kerchn@bellsouth.net via the e-filing portal on March 29, 2018.

Respectfully submitted,

By: _____

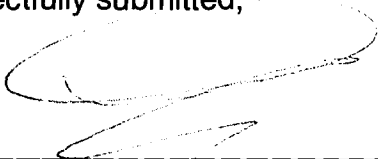

Edward A. Lopez, Esq.
Florida Bar No. 770191
3440 Hollywood Blvd
Suite 415
Hollywood, FL 33021
Tel. (954) 241-4205
Fax (954) 241-4206
Attorney for Defendant, Cedi Pacheco
Email: ELopez@EdwardLopezLaw.com

EXHIBIT A

IN THE CIRCUIT COURT OF THE SEVENTEENTH JUDICIAL CIRCUIT
IN AND FOR BROWARD COUNTY, FLORIDA

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CASE NO: 16003828CF10A
JUDGE MARTIN S.FEIN

STATE OF FLORIDA

Plaintiff

v.

CEDI PACHECO

Defendant

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STATE'S SUPPLEMENTAL DISCOVERY

CO-DEFENDANTS

Name: CESAR ALEXANDER DIAZ

Court Case Num: 16004217CF10A

COMES NOW the State of Florida, by and through the undersigned Assistant State Attorney, and pursuant to the provisions of Rule 3.220 (b)(1)(A) of the Florida Rules of Criminal Procedure, as supplement to the State's previous submissions(s) of discovery herein, submits the following amendment(s) or addition(s):

Water damage to DNA swabs
Water damage to clothing

I HEREBY CERTIFY that a true copy hereof has been furnished Electronically
 U.S. Mail Hand Delivery Fax this 12th day of March,
A.D 20 18, to Attorney for
Defendant Named above:
Edward Lopez, Esquire, 3440 Hollywood Blvd Ste 415, Hollywood, FL 33021-6933

MICHAEL J SATZ
State Attorney

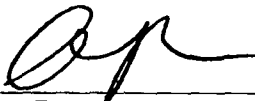
By: 
ALEXIS BURY, ESQUIRE
Assistant State Attorney
Fl Bar 115138
201 S.E. 6th Street
Unit FTU
Ft Lauderdale, FL 33301
(954) 831-7066

EXHIBIT B

LAW OFFICE OF EDWARD A. LOPEZ

ATTORNEY AT LAW

March 16th, 2018

Hollywood Police Department
3250 Hollywood Boulevard
Hollywood, FL 33021
Attn: Detective Kristopher Doyle

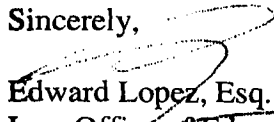
Re: Public Records Request
(Evidence Room Flooding)

Dear Detective Doyle,

It has come to my attention that there was flooding in the City of Hollywood Police Department evidence room which has caused water damage to various pieces of evidence. Please accept this letter as my public records request pursuant to Florida Statutes Chapter 119 in an effort to receive information regarding this flooding incident. Specifically, I am requesting any and all documents, reports, memoranda, statements, photographs, video evidence, and any other documents related to the internal investigation conducted by the City of Hollywood Police Department regarding flooding to the evidence room.

Thank you for your time and attention in this matter.

Sincerely,


Edward Lopez, Esq.
Law Office of Edward Lopez
3440 Hollywood Blvd, Suite 415
Hollywood, FL. 33021
Tel. (954) 241-4205
Fax. (954) 241-4206

LAW OFFICE OF EDWARD A. LOPEZ

ATTORNEY AT LAW

March 16th, 2018

Hollywood Police Department
3250 Hollywood Boulevard
Hollywood, FL 33021

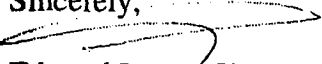
Re: Public Records Request
(Evidence Room Flooding)

To Whom It May Concern,

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