

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
OF THE STATE OF FLORIDA IN AND FOR PASCO COUNTY
CRC14-00216CFAES

STATE OF FLORIDA

V.

CURTIS J. REEVES

FILED FOR RECORD
PASCO COUNTY, FLORIDA
2016 DEC 30 AM 10:44
Paula S. O'Sullivan
Clerk & Comptroller
Pasco County, Florida

**STATE'S MOTION TO QUASH SUBPONEA FOR
DISCOVERY DEPOSITION AND FOR A PROTECTIVE ORDER**

COMES NOW BERNIE McCABE, State Attorney for the Sixth Judicial Circuit in and for Pasco County, Florida by and through the undersigned Assistant State Attorney hereby respectfully requests this Honorable Court to enter its order quashing the discovery deposition subpoena for Ronald Weyland and for a protective order to prevent the issuance of a subpoena to Ronald Weyland to testify on the behalf of the Defendant and as good cause shows as follows:

1. Former Orange County Sheriff Deputy Ronald Weyland is listed as a State witness in the above-styled cause. In 2014 he conducted an analysis of the January 13, 2014 surveillance video which captured the shooting inside Theater #10 at Cobb Theater. At the conclusion of his analysis he issued a report and generated several exhibits. Said reports and exhibits were provided to the defense in discovery. On August 7, 2015 the defense took the deposition of Ronald Weyland. The parties agreed to stop the deposition before it was completed.
2. Since his deposition on August 7, 2015, he has become ill with a life-threatening medical condition. The medication used to treat the condition has impaired his memory.
3. The medical condition was of such severity, the State abandoned the work performed by Ronald Weyland and requested the FBI to conduct an analysis of said surveillance video.
4. The FBI has concluded its examination and has produced three reports and numerous exhibits. Copies of said reports and exhibits were furnished to the defense as part of the State's continued discovery obligation.
5. As a former law enforcement officer, the State agreed to accept service of all subpoenas in order to protect Ronald Weyland's personal information.

6. On December 20, 2016 the State received defense's notice of taking the deposition of Ronald Weyland. Weyland's subpoena commands him to be at the Office of the State Attorney, Dade City, Pasco County, Florida on December 28, 2016 at 9:00 am to give sworn testimony in the above-styled cause.
7. Ronald Weyland is still ill. His cognitive abilities, including memory are still impaired.
8. Due to his illness and impaired memory, the State does not plan to call him as a witness in the above-styled cause. The State does not plan to use any of his exhibits at any hearing or trial.
9. Due to Weyland's current ill health, impaired memory and the State's intention not to call him as a witness or to use any of his exhibits, the subpoena should be quashed because it is unreasonable, burdensome and oppressive.

WHEREFORE, the State respectfully requests that this Honorable Court enter its order quashing the discovery deposition subpoena of Ronald Weyland and to prevent the issuance of a subpoena to Ronald Weyland to testify on the behalf of the Defendant.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the *State's Motion To Quash Subpoena For Discovery Deposition and For A Protective Order* was furnished to Richard Escobar, Esq., Escobar & Associates, P.A., 2917 West Kennedy Blvd., Ste 100, Tampa, FL 33609, Attorney for the Defendant by U.S. Mail / Hand / Facsimile this 27th day of December, 2016.

BERNIE McCABE, State Attorney
Sixth Judicial Circuit of Florida


Quinn L. Magan, Jr.
Assistant State Attorney