

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT  
IN AND FOR PASCO COUNTY, STATE OF FLORIDA  
CRIMINAL DIVISION

STATE OF FLORIDA,  
Plaintiff,

Case No: CRC-1400216CFAES

vs.

CURTIS J. REEVES,  
Defendant.  
spn 00683538

Division: 1

**MOTION FOR ISSUANCE OF SUBPOENA DUCES TECUM**

Defendant, CURTIS J. REEVES, by and through the undersigned attorney and pursuant to Florida Rules of Criminal Procedure 3.220(f) hereby files this motion requesting that this Honorable Court issue an order allowing the issuance of a subpoena duces tecum or an order compelling discovery for the following evidence:

A. A layout, map, blueprint, or other document sufficiently depicting the layout of the specific theater in which the alleged incident occurred on January 13, 2014 at Cobb Grove 16 Theater located at 6333 Wesley Grove Boulevard, Wesley Chapel, Florida, 33544. In support of the grounds therefore, Defendant, CURTIS J. REEVES, would state as follows:

1. It is necessary to have a layout, map, blueprint, or other document sufficiently depicting the layout of the specific theater in question to assist the defense in preparing a reconstruction of the alleged incident.

B. The make, model, and manufacture of the chairs that Curtis J. Reeves and Chad Oulson were sitting in at the time of the alleged incident. In support of the grounds therefore, Defendant, CURTIS J. REEVES, would state as follows:

1. It is necessary to have the make, model, and manufacture of the chairs that

Curtis J. Reeves and Chad Oulson were sitting in at the time of the alleged incident to assist the defense in preparing a reconstruction of the alleged incident.

C. A log or other document sufficient to demonstrate the name, length, and play order of any and all advertisements and trailers that were shown in the theater where the alleged incident occurred prior to the showing of the movie “Lone Survivor” on January 13, 2014, and the name and contact information of the vendor(s) or other supplier(s) from which the advertisements, trailers, and the movie “Lone Survivor” were purchased or leased. In support of the grounds therefore, Defendant, CURTIS J. REEVES, would state as follows:

1. It is necessary to have a log or other document sufficient to demonstrate the name, length, and play order of any and all advertisements and trailers that were shown in the theater where the alleged incident occurred prior to the showing of the movie “Lone Survivor” to assist the defense in preparing a reconstruction of the alleged incident.
2. At issue in this case are the lighting conditions at the time of the incident. The particular advertisement, trailer, or film that was showing as the alleged incident progressed would alter the lighting conditions within the theater depending on what was being projected at the time.
3. The name and contact information of the vendor(s) or other supplier(s) from which the advertisements, trailers, and movie “Lone Survivor” were purchased or leased are necessary to assist the defense prepare a reconstruction of the alleged incident, as the defense may be required to acquire permission from these entities to fully reconstruct the lighting

conditions at the time of the alleged incident.

D. The make, model, and manufacture of the night vision video recorder and the make, model, and manufacture of any component parts within the video recorder that captured the alleged incident on January 13, 2014. In support of the grounds therefore, Defendant, CURTIS J. REEVES, would state as follows:

1. The Court previously entered an Order Granting Defendant's Motion for Issuance of Subpoena Duces Tecum ordering the Cobb Grove 16 Theater to obtain any and all surveillance video footage of all cameras for the day of January 13, 2014 from opening of business until closing in the theater showing "Lone Survivor" and all common areas.
2. Defense has received the surveillance video, but requires information about the make, model, and manufacture of the night vision video recorder and the make, model, and manufacture of any component parts within the video recorder used to capture the surveillance videos to assist defense experts analyze the video.

E. Documentation, a description or other sufficient explanation of the term "presetting of lights" and what the presetting of lights was in the theater in question on January 13, 2014. In support of the grounds therefore, Defendant, CURTIS J. REEVES, would state as follows:

1. At issue in this case are the lighting conditions at the time of the incident.
2. Documentation, a description or other sufficient explanation of the term "presetting of lights" and what the presetting of lights was in the theater in question on January 13, 2014 is necessary to assist the defense prepare a reconstruction of the alleged incident.

Further, Defendant, CURTIS J. REEVES, has shared the contents of this Motion for Issuance of Subpoena Duces Tecum with the attorney for the Cobb Grove 16 Theater, Mr. Timothy D. Davis, Esq., who has indicated no objections to the motion.

WHEREFORE, the Defendant, CURTIS J. REEVES, respectfully requests this Honorable Court to issue an order directing the Clerk of the Circuit Court to issue a subpoena duces tecum to the Cobb Grove 16 Theater, 6333 Wesley Grove Boulevard, Wesley Chapel, Florida 33544 ordering that the above required items be provided to the defense.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by Hand Delivery/Facsimile to the Office of the State Attorney, Dade City, and to the Cobb Grove 16 Theater, 6333 Wesley Grove Boulevard, Wesley Chapel, Florida 33544, Florida this 2nd day of October, 2014.



Dino M. Michaels, Esquire  
Escobar & Associates, P.A.  
2917 W. Kennedy Boulevard, Suite 100  
Tampa, Florida 33609  
Tel: (813) 875-5100  
Fax: (813) 877-6590  
Email: [dmichaels@escobarlaw.com](mailto:dmichaels@escobarlaw.com)  
Florida Bar No. 0526290  
Attorney for Defendant

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT  
IN AND FOR PASCO COUNTY, STATE OF FLORIDA  
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STATE OF FLORIDA,  
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Defendant.

Division: 1

\_\_\_\_\_ /

**ORDER GRANTING MOTION FOR ISSUANCE OF SUBPOENA DUCES TECUM**

THIS MATTER came before the Court for hearing on \_\_\_\_\_,  
2014, on Defendant, Curtis J. Reeves', Uncontested Motion for Issuance of Subpoena Duces Tecum.  
The Court, after considering the motion, the court file, the record, applicable law, and otherwise  
being fully advised in the premises, FINDS AND RULES as follows:

IT IS ORDERED that DEFENDANT'S UNCONTESTED MOTION FOR ISSUANCE OF  
SUBPOENA DUCES TECUM is hereby GRANTED and is authorized to issue a subpoena duces  
tecum to the Cobb Grove 16 Theater, 6333 Wesley Grove Boulevard, Wesley Chapel, Florida, 33544  
to obtain the following:

1. A layout, map, blueprint, or other document sufficiently depicting the layout of  
the specific theater in which the alleged incident occurred on January 13, 2014 at  
Cobb Grove 16 Theater located at 6333 Wesley Grove Boulevard, Wesley Chapel,  
Florida, 33544.
2. The make, model, and manufacture of the chairs that Curtis J. Reeves and Chad  
Oulson were sitting in at the time of the alleged incident.

3. A log or other document sufficient to demonstrate the name, length, and play order of any and all advertisements and trailers that were shown in the theater where the alleged incident occurred prior to the showing of the movie “Lone Survivor” on January 13, 2014, and the name and contact information of the vendor(s) or other supplier(s) from which the advertisements, trailers, and the movie “Lone Survivor” were purchased or leased.
4. The make, model, and manufacture of the night vision video recorder and the make, model, and manufacture of any component parts within the video recorder that captured the alleged incident on January 13, 2014.
5. Documentation, a description or other sufficient explanation of the term “presetting of lights” and what the presetting of lights was in the theater in question on January 13, 2014.

DONE AND ORDERED, in Dade City, Pasco County, Florida, this \_\_\_\_ day of \_\_\_\_\_, 2014.

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PAT SIRACUSA  
Circuit Court Judge

**Confirmed Copies To:**

Office of the State Attorney  
Cobb Grove 16 Theater, 6333 Wesley Grove Boulevard, Wesley Chapel, Florida 33544  
Escobar & Associates, P.A., 2917 W. Kennedy Blvd., Suite 100, Tampa, Florida 33609