

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

STATE OF FLORIDA,
Plaintiff,

Case No: CRC-1400216CFAES

vs.

CURTIS J. REEVES,
Defendant.

Division: 1

**TO PRESERVE EVIDENCE BY ALLOWING DEFENSE PHOTOGRAPHER TO
PHOTOGRAPH DEFENDANT**

Defendant, CURTIS J. REEVES, by and through undersigned counsel, moves this Honorable Court to issue an order to the Pasco County Sheriff's Office to permit a defense photographer to photograph his entire (body modestly covered.) at the Pasco County Detention Center where he is presently being held.

In support of this motion defendant states:

1. That the defendant is currently being held at the Pasco County Detention Center on a no-bond status and, as such, is in the possession of the Pasco County Sheriff's Office.
2. That it is imperative to have defendant immediately photographed by defense photographer to preserve exculpatory evidence that may be forever lost if permission is not granted.
3. That if access by a defense photographer is denied, the accused will be precluded from exercising fundamental rights guaranteed by the Sixth and Fourteenth Amendments to the United States Constitution.
4. That the ability to preserve evidence by photographing defendant in custody is analogous to the right of the accused to examine tangible objects in the possession of the

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Clerk & Comptroller
Pasco County, Florida

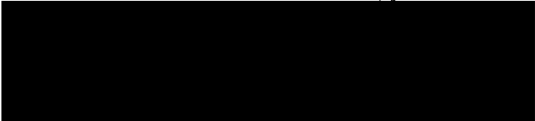
prosecution or police.

5. That the right of the accused to examine tangible objects in the possession of the prosecution or police is guaranteed by Fla. R. Crim. P. 3.220, the Confrontation Clause of the Sixth Amendment to the U.S. Constitution and the Due Process Clause of the Fourteenth Amendment to the U.S. Constitution. See *Barnard v. Henderson*, 514 F.2d 744 (5th Cir. 1975); *Johnson v. State*, 249 So.2d 470 (Fla. 3d DCA 1971); *Ansley v. State*, 302 So. 2d 797 (Fla. 1st DCA 1974).
6. That this Court has the authority to order preservation of potential evidence. *Vancas v. State*, 377 So. 2d 1000 (Fla. 4th DCA 1979).
7. Undersigned counsel hereby certifies that this motion is made in good faith.

WHEREFORE, the defendant, CURTIS J. REEVES, respectfully requests this Court issue an order allowing a defense photographer to photograph him (modestly covered) at the Pasco County Detention Center.

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 Pasco County Sheriff 8700 Citizen Drive, New Port Richey, Florida 34654 this 29th day of January, 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
Attorney for Defendant
Florida Bar No. 0526290