

STATE OF NORTH CAROLINA

_____ COUNTY

IN THE GENERAL COURT OF JUSTICE

DISTRICT COURT DIVISION

FILE NO. _____

STATE OF NORTH CAROLINA

vs.

MOTION TO SUBPOENA

CHEMICAL ANALYST

_____,
Defendant

NOW COMES the defendant by and through attorney, Marcus E. Hill, of Durham, North Carolina and moves for permission to subpoena the chemical analyst in his/her DWI case. In support of said motion Mr. Hill says:

FINDINGS OF FACT

1. The client was charged with driving while impaired.
2. That upon information and belief the procedures set out by the Department of Health and Human Services were not followed in the breath test.
3. The defendant believes that the chemical analyst's testimony could be exculpatory under Brady v. Maryland, or otherwise useful in the search for the truth.

THEREFORE THE DEFENDANT PRAYS THAT THE COURT:

1. Allow the defendant to subpoena the chemical analyst for future court dates.

This is the _____ day of _____, 20_____.

Marcus E. Hill
Attorney for Defendant
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