

STATE OF NEW MEXICO  
COUNTY OF SANTA FE  
FIRST JUDICIAL DISTRICT

STATE OF NEW MEXICO,

Plaintiff,

vs.

HANNAH GUTIERREZ

No. D-0101-CR-202300040

Defendant.

Judge Mary Marlowe Sommer

**ATTORNEY'S AFFIDAVIT IN SUPPORT OF UNOPPOSED PETITION  
FOR OUT-OF-STATE SUBPOENA FOR TAKING DEPOSITION**

I, Kari T. Morrissey, Special Prosecutor, being duly sworn, deposes and say:

1. I am an attorney duly licensed to practice law before all Courts in the State of New Mexico.
2. I am an appointed Special Prosecutor in the above entitled matter.
3. I am an attorney for the above-named Plaintiff.
4. I made this Affidavit in support of the Unopposed Petition for Out-of-State Subpoena for Taking Deposition of Seth Kenney aka Seth Andrew Kenney ("Kenney").
5. Kenney is a material witness in regard to the above entitled matter and resides in the State of Arizona.
6. A detailed investigation and due diligence reveals that Kenney resides at 375 London Bridge Road, Unit 23, Lake Havasu City, Arizona 86403-4663 (Mohave County).

7. Plaintiff will be able to present the testimony of Kenney concerning key elements of this criminal prosecution.
8. I have contacted the attorney(s) representing Kenney in civil matters (Attorney Scott Hatcher and Attorney David Houliston) in order to secure the voluntary attendance of Kenney for a deposition. Neither attorney has responded to my repeated requests as to the presence of Kenney at a scheduled deposition.

WHEREFORE, your affiant respect prays that process be issued and the Unopposed Petition for Out-of-State Subpoena for Taking of Deposition be granted. No previous application has be made to this or any other Court.

Dated: June 12, 2023

/s/ Kari T. Morrissey

Kari T. Morrissey, Special Prosecutor  
First Judicial Court  
1303 Rio Grande NW, Suite 5  
Albuquerque, New Mexico 87104  
(505) 361-2138  
(505) 573-2784  
[ktm@morrisseylewis.com](mailto:ktm@morrisseylewis.com)