

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 DUCES TECUM TO BE ISSUED TO
MOXIE FILMS, INC.**

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

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 Duces Tecum for securing audio and video items and materials from Moxie Films, Inc. ("Moxie" herein) which is based in Malibu, California.
5. A detailed investigation and due diligence reveal that Moxie Films, Inc. has the following service addresses:

Moxie Films, Inc.
Attention: Agent for Service of Process Mark Bailey
29169 Heathercliff Road, Suite 204
Malibu, California 90265

Mark Bailey
7238 Birdview Avenue
Malibu, California 90265

6. The receipt of the audio and video information, as requested in the subpoena duces tecum, are critical pieces of information concerning key elements of this criminal prosecution.
7. WHEREFORE, your affiant respect prays that process be issued and the Unopposed Petition for Out-of-State Subpoena Duces Tecum for the production of audio and video information and materials from Moxie be granted. No previous application has been made to this or any other Court in regard to Moxie's production of the described audio and video information.

Dated: November 2, 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