

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 TRIAL TESTIMONY OF DAVID
HALLS**

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 for the in-person attendance and presence of David John Halls aka David Halls ("Halls" herein) at trial in regard to the above-entitled matter. Halls, as set forth below, resides in the State of Minnesota.
5. A detailed investigation and due diligence reveal that Halls resides at 11100 Anderson Lakes Parkway, Apt, 114, Eden Prairie, Minnesota 55344-4159 (Hennepin County, State of Minnesota).

6. Halls' in-person attendance, at the trial of this matter, will be scheduled to commence on February 21, 2024 at 9:00 a.m. and until released by this Court. Plaintiff will be able to present the testimony of Halls concerning key elements of this criminal prosecution.
7. I have communicated to and with Attorney Bowles with regard to the voluntary appearance of Halls at trial. I have been informed by Attorney Bowles that in his interchanges with Lisa A. Torracco, the attorney(s) representing Halls in the criminal matter Case No. D-101-CR-20230004, that Attorney Torracco explained to Attorney Bowles that after Attorney Bowles' attempts to obtain even the voluntary appearance as the pre-trial interview (which attempts were unsuccessful) that Halls will not voluntarily appear at the trial of this matter.
8. WHEREFORE, your affiant respect prays that process be issued and the Unopposed Petition for Out-of-State Subpoena for the in-person attendance of Halls at trial be granted. No previous application has been made to this or any other Court in regard to Halls' attendance at a pre-trial interview.

Dated: October 23, 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
ktn@morrisseylewis.com