

IN THE CIRCUIT COURT OF HOUSTON COUNTY, ALABAMA

WILLIE DEON CARPENTER,

Plaintiff,

V.

**RAYMOND HORN and
JOSIE HORN,**

Defendants.

CASE NO.: 38-CV-2025-900330.00

MOTION TO QUASH

COMES NOW the undersigned as the attorney for the City of Taylor, Alabama, and files this Motion to Quash a subpoena duces tecum issued by the pro se Plaintiff, Willie Deon Carpenter, directed to the Custodian of Records of the City of Taylor, Alabama, and to the Taylor Police Department and City Clerk as well as the Municipal Court, seeking the production of:

1. Any and all incidents/offense reports, arrest records, charging documents, complaints, witness statements, photographs, and related records concerning Defendant Raymond Horn involving vandalism, trespass, or property damages at Plaintiff's residence located at [REDACTED] Berlin Rd., Taylor, Alabama, on or about May 6, 2025.
2. Certified copies of all municipal ordinance violation citations, complaints, and dispositions involving Defendant Raymond Horn within the City of Taylor, Alabama for the period of the last twenty-four (24) months.

4. Certified copies of all personnel, application, disciplinary, and termination records relating to Defendant Raymond Horn's volunteer service with the Taylor Police Department, including, but not limited to, his application to serve, acceptance, training, disciplinary action, complaints, and termination or removal records.

Pursuant to Section 12-21-3.1 of the Code of Alabama 1975, law enforcement investigative reports and related investigative material are not public records. Law enforcement investigative reports, records, field notes, witness statements, and other investigative writings or records are privileged communications protected from disclosure.

Pursuant to Section 12-21-3.1 (c) of the Code of Alabama 1975, non-criminal parties may, upon proper motion and order from a court of record, secure photographs, documents, and tangible evidence for examination and copying only by order of a court imposing such conditions and qualifications as may be necessary to protect the chain of custody. Further, such discovery order may be issued by a court of record only upon a proof of substantial evidence that the moving party will suffer undue hardship and that the records, photographs, or witnesses are unavailable from any other reasonable sources.

The Plaintiff in this case has made no such showing to the court nor has he obtained any such order from the Court establishing the conditions upon which any such discovery may be made.

Wherefore, the undersigned as the attorney for the City of Taylor, Alabama, respectfully moves the Court to quash the subpoena as to those items listed in paragraph 1, 2, and 4.

Respectfully submitted this 10th day of September, 2025.

/s/ Stephen T. Etheredge
Stephen T. Etheredge (8149-H69S)
Attorney for the City of Taylor, AL
P.O. Box 1193
Dothan, Alabama 36302

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing motion has been delivered via the Alafile system to all counsel of record on this the 10th day of September, 2025

/s/ Stephen T. Etheredge