

IN THE COUNTY COURT OF THE
EIGHTEENTH JUDICIAL CIRCUIT
IN AND FOR BREVARD COUNTY,
FLORIDA.

STATE OF FLORIDA,

CASE NO.: 05-2023-CF-012875-AXXX XX

Plaintiff,

vs.

JOSHUA MORRIS,

Defendant.

MOTION FOR ORDER TO SHOW CAUSE

COMES NOW the Defendant, by and through his undersigned counsel, and hereby seeks an **ORDER TO SHOW CAUSE**, directed to Deputy Taylor Dunn and Deputy Daniel Magill, both currently employed with Brevard County Sheriff's Office, based upon the following facts:

1. Deputy Taylor Dunn was served via substitute service on August 16, 2023 by the Brevard County Sheriff's Department to appear for Deposition on Thursday, September 7, 2023. Deputy Taylor Dunn has refused to comply the subpoena. **See** attached Exhibit "A".
2. Deputy Daniel Magill was served via substitute service on August 16, 2023 by the Brevard County Sheriff's Department to appear for Deposition on Thursday, September 7, 2023. Deputy Daniel Magill has refused to comply the subpoena. **See** attached Exhibit "B".
3. On Tuesday, September 5, 2023, the undersigned's office received an email from the State Attorney's Office, stating that Deputy Dunn contacted their office stating he would not be able to appear for the Deposition and also advised that Deputy Magill would not be present either.
4. Upon receipt of said email, the undersigned requested the reasons why neither Deputy could be present. It was stated through the State Attorney's Office that Deputy Dunn was

scheduled to go into surgery, with no indication as to what type of surgery, and no reason was given for why Deputy Magill could not appear.

5. The undersigned requested proof of the surgery for Deputy Dunn and was told by the State Attorney's office that we could either cancel and reschedule the Depositions or the undersigned could file an Order to Show Cause action.

6. Neither Deputy contacted the undersigned's office although they were aware of this Deposition in August and neither Deputy provided an acceptable reason or proof of reason to allow this matter to be rescheduled.

WHEREFORE, The Undersigned Counsel seeks an Order to Show Cause directed to Deputy Taylor Dunn and Deputy Daniel Magill, directing them to show Cause why they should not be held in Contempt of Court, and sanctioned accordingly, and set a time and date for said hearing in said Order to Show Cause.

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via the Florida E-portal to: Office of the State Attorney and mailed to Deputy Taylor Dunn in care of the Brevard County Sheriff Office, 340 Gus Hipp Boulevard, Rockledge, FL 32955 and to Deputy Daniel Magill in care of the Brevard County Sheriff Office, 340 Gus Hipp Boulevard, Rockledge, FL 32955, on this 8th day of September 2023.

s//Bryan D. Savvy //
BRYAN D. SAVY, ESQUIRE
Florida Bar No. 0012442
Attorney for Defendant
997 South Wickham Road
West Melbourne, Florida 32904
(321) 728-4911
bsavvy@brosslawoffice.com
melissa@brosslawoffice.com

IN THE CIRCUIT COURT OF THE
EIGHTEENTH JUDICIAL CIRCUIT
IN AND FOR BREVARD COUNTY,
FLORIDA.

STATE OF FLORIDA,

Plaintiff,

vs.

JOSHUA MORRIS,

Defendant.

CASE NO.: 05-2023-CF-012875-AXXX-XX

754 rec'd on

Served this Writ at: 1055 AM on the
16 day of MO: AUG. 2023
by serving a TRUE COPY of original
to: CAROL CATHEY #1436
 Individual Service Substitute Service
WAYNE W. EY, Sheriff
By: [Signature] # 754
 Not Found / Reason: []

SUBPOENA FOR DEPOSITION

TO: OFFICER TAYLOR DUNN
BREVARD COUNTY SHERIFF'S OFFICE
1515 SARNO ROAD, #B
MELBOURNE, FL 32935
CIS

YOU ARE COMMANDED to appear on *September 7, 2023*, at 2:30 p.m., at the **Office of the State Attorney, 2725 Judge Fran Jamieson Way, Building "D", Viera, FL 32940**, for the taking of your deposition in the above styled cause. If you fail to appear, you may be held in contempt of court. You are hereby commanded to appear on the above set date and time.

You are subpoenaed to appear by the following attorney and unless excused from this subpoena by this attorney or the court, you must appear as commanded. ***This subpoena remains in effect for any subsequent date, up to and including the date, this case is disposed.***

DATED at West Melbourne, Brevard County, Florida this **1st** day of **August 2023**.

[Signature]

BRYAN D. SAVY, ESQUIRE
Florida Bar No. 0012442
Attorney for Defendant
997 South Wickham Road
West Melbourne, Florida 32904
(321) 728-4911
bsavy@brosslawoffice.com
melissa@brosslawoffice.com

Exhibit "A"

STATE OF FLORIDA,

Plaintiff,

vs.

JOSHUA MORRIS,

Defendant.

IN THE CIRCUIT COURT OF THE
EIGHTEENTH JUDICIAL CIRCUIT
IN AND FOR BREVARD COUNTY,
FLORIDA.

CASE NO.: 05-2023-CF-012875-AXXX-XX

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Served this Writ at: 1055 AM/PM on the
14 day of MO: Aug, of 2023
by serving a TRUE COPY of the original
to: CAROL CATHEY
Divisional Service Substitute Service
WAYNE IVEY, Sheriff
Brevard County, Florida
By: Jean Forester ID# 754
 Not Found / Reason: _____

SUBPOENA FOR DEPOSITION

TO: OFFICER DANIEL MAGILL
BREVARD COUNTY SHERIFF'S PFFOCE
1515 SARNO ROAD, #B
MELBOURNE, FL 32935

CIS

YOU ARE COMMANDED to appear on *September 7, 2023*, at 3:00 p.m., at the Office of the State Attorney, 2725 Judge Fran Jamieson Way, Building "D", Viera, FL 32940, for the taking of your deposition in the above styled cause. If you fail to appear, you may be held in contempt of court. You are hereby commanded to appear on the above set date and time.

You are subpoenaed to appear by the following attorney and unless excused from this subpoena by this attorney or the court, you must appear as commanded. *This subpoena remains in effect for any subsequent date, up to and including the date, this case is disposed.*

DATED at West Melbourne, Brevard County, Florida this 1st day of August 2023.



BRYAN D. SAVY, ESQUIRE
Florida Bar No. 0012442
Attorney for Defendant
997 South Wickham Road
West Melbourne, Florida 32904
(321) 728-4911
bsavy@brosslawoffice.com
melissa@brosslawoffice.com

Exhibit "B"