

IN THE CIRCUIT COURT OF THE 17<sup>TH</sup> JUDICIAL CIRCUIT  
IN AND FOR BROWARD COUNTY, FLORIDA

**STATE OF FLORIDA,**

Plaintiff,

V.

**RICHARD HENRY PATTERSON,**

Defendant.

CASE NO.: 15014562CF10A

JUDGE: MICHAEL ROTHSCHILD

**MOTION TO VIEW**

COMES NOW, The Defendant, by and through his undersigned attorney, and moves this court to allow the Jury to View the Defendant's Genitalia and as grounds state the following:

1. Dr. Wright, an expert witness and former Broward County Medical Examiner, will testify that the deceased, the Defendant's girlfriend, that her death is consistent with being accidentally sexually asphyxiated during oral sex.
2. As persuasive authority, Florida Statute 918.05, View by jury states: "—When a court determines that it is proper for the jury to view a place where the offense may have been committed or other material events may have occurred, it may order the jury to be conducted in a body to the place, in custody of a proper officer. The court shall admonish the officer that no person, including the officer, shall be allowed to communicate with the jury about any subject connected with the trial. The jury shall be returned to the courtroom in accordance with the directions of the court. The judge and defendant, unless the defendant absents himself or herself without permission of court, shall be present, and the prosecuting attorney and defense counsel may be present at the view."
3. Although the object to be viewed is not a place but a part of the human anatomy, it is material and relevant, the view by the jury is essential for them to fully understand the Dr. Wright's testimony and the defense in this case.