

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

SABEIN BURGESS

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Plaintiff,

*

v.

Civil No. RDB-15-0834

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BALTIMORE CITY POLICE
DEPARTMENT, et al.

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Defendants

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MEMORANDUM ORDER

Presently pending before this Court is the Motion for Protective Order (ECF#87) filed by the Baltimore City Department of Social Services (“the Department”) in response to a subpoena served upon it by the Defendants Ritz, Goldstein, Weese, Purtell, Lehmann, Patton, Neverdon and Van Gelder. The subpoena requests documents relating to the four children of the murder victim Michelle Dyson, specifically LaShawnda Roberts, Tawanda Dyson, Brian Rayney and Shabria Williams. The Department has moved for a Protective Order to authorize the production of these documents, pursuant to Md. Ann. Code, Human Services §1-201(a)(1).

Under Maryland law a court may order disclosure of these confidential records if there is a “reasonable possibility that review of the records would result in discovery of relevant evidence.” Baltimore City Dept. of Social Services v. Stein, 328 Md 1 (1992). These documents relate to information provided by the children on the night and the morning following murder of their mother on or about October 5, 1994. These documents are relevant to the issues in this case and may result in the discovery of usable evidence.

Accordingly, IT IS HEREBY ORDERED this 26th day of July 2016 that the Motion for Protective Order (**ECF#87**) is **GRANTED** as this Court finds that the Baltimore City Department of Social Services records sought by the subject subpoena are relevant to this proceeding;

AND IT IS FURTHER HEREBY ORDERED that these records are deemed “confidential” within the scope of the Confidentiality Order already in place in this case and shall therefore be reviewed and shared only by the parties and their attorneys for purposes of this litigation;

AND IT IS FURTHER HEREBY ORDERED that the names of the reporters of these documents be redacted, that the disclosed records be **SEALED**, and be produced on a rolling basis over a 90 day period beginning on August 5, 2016.

Richard D. Bennett
United States District Judge