

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CASE NO. 3:10CV125-RJC-DCK**

**TAMMY LOU FONTENOT, Individually and)
as Administratrix of the Estate of DARRYL)
Wayne Turner, deceased,)
)
Plaintiff,)
)
vs.)
)
TASER INTERNATIONAL, INC.,)
)
Defendant.)
)
)
_____)**

ORDER

Defendant TASER International, Inc. (“TASER”) seeks an Order to secure the release of samples, believed to be marijuana, for testing and analysis (Doc No. 26). Specifically, TASER requests that upon reasonable notice and within five days thereof, appropriately sized samples sufficient for testing of evidence be produced by the Charlotte-Mecklenburg Police Department (CMPD) to the lab(s) or research facilit(ies) designated by either or both parties to conduct testing and analysis of the samples submitted. These samples were seized by CMPD, a non-party hereto, during its investigation in Case No. 20080320130600, and are retained by CMPD under evidence Control No. 200810717, but are no longer of any evidentiary value to CMPD. Thus, CMPD consents to the release of such samples pursuant to court order. Moreover, Plaintiff Tammy Lou Fontenot, as Administratrix of the Estate of Darryl Wayne Turner, does not oppose Defendant’s motion.

THEREFORE, IT IS HEREBY ORDERED THAT:

CMPD, shall, upon reasonable notice and within five (5) days thereof, produce to the

lab(s) or research facilit(ies) designated by either or both parties, appropriate sized samples sufficient for testing of evidence seized by CMPD during its investigation in Case No. 20080320130600, believed to be marijuana, and retained by CMPD under evidence Control No. 200810717.

SO ORDERED.

Signed: November 29, 2010

A handwritten signature in cursive script, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.
Chief United States District Judge

