

RECORD NO. 15-1353
UNITED STATES COURT OF APPEALS

FOR THE FOURTH CIRCUIT

RAINA CONNOR, Administratrix of the
Estate of Adam Wade Carter,

Plaintiff,

vs.

TAVARES THOMPSON, in his official
and individual capacities; WAKE
COUNTY SHERIFF DONNIE
HARRISON, in his official and
individual capacities; THE OHIO
CASUALTY INSURANCE
COMPANY, as surety,

Defendants.

From the Eastern District
of North Carolina

No. 5:12-CV-701

DEFENDANT-APPELLANTS' MOTION FOR LEAVE TO FILE
PHYSICAL EXHIBIT

NOW COME Defendant-Appellants, by and through their undersigned
counsel, and move this Honorable Court, in accordance with Rule 28(b) of the
Fourth Circuit Rules of Appellate Procedure, for leave to file a physical exhibit as
an additional item attached to the Joint Appendix. Defendant-Appellants move to
file a disc containing an audio file of the recorded emergency call to the Wake

County Sheriff's Department 911 Call Center on February 11, 2012, that was filed as an exhibit to the Affidavit of Lt. Heidi Steinbeck (D.E. #59). Copies of the disc have been provided to the Court and opposing counsel, who consent to the filing of this audio file.

WHEREFORE, Defendant-Appellants move this Court to allow said disc to be deemed an exhibit to the Joint Appendix.

This the 10th day of August, 2015.

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CERTIFICATE OF SERVICE

The undersigned hereby certifies, pursuant to Rule 5 of the Federal Rules of Civil Procedure, that the foregoing **DEFENDANT-APPELLANTS' MOTION FOR LEAVE TO FILE PHYSICAL EXHIBIT** was electronically filed with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

Hoyt G. Tessener
G. Christopher Olson
MARTIN & JONES, PLLC
410 Glenwood Avenue, Suite 200
Raleigh, North Carolina 27603

This the 10th day of August, 2015.

POYNER SPRUILL LLP

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