

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA

FILED

IN RE: SUBPOENAS DUCES TECUM)
UNDER RULE 17(c) OF THE FEDERAL) General Order No. 21-13
RULES OF CRIMINAL PROCEDURE)

JUN - 2 2021

PATRICK KEANEY
Clerk, U.S. District Court

By _____
Deputy Clerk

GENERAL ORDER

General

No subpoena in a criminal case may require the production of books, papers, documents, data, or other objects at a date, time or place other than the date, time, and place of the trial, hearing, or proceeding at which the items are to be offered in evidence, unless the Court has entered an order under Fed.R.Crim.P. 17(c) authorizing the issuance of the subpoena.

Motion for Subpoena

All parties must file a motion for subpoena pursuant to Fed.R.Crim.P. 17(c) with the Court prior to the issuance of any subpoena. Except in an extraordinary case where ex parte consideration may be justified, the motion for issuance of the subpoena must be served on all counsel of record in the case. Motions pursuant to Fed.R.Crim.P. 17(c) will be heard by the assigned Magistrate Judge hereby designated to hear and determine such motion pursuant to 28 U.S.C. § 636(b)(1)(A).

The motion should include:

- (1) The specific material sought and an explanation as to its evidentiary value and relevancy;
- (2) An explanation as to why the movant could not otherwise procure the material;
- (3) An explanation as to why the movant cannot prepare the matter without the material in advance and why the failure to obtain advanced production of such material may unreasonably delay the trial, hearing, or proceeding;
- (4) A statement that the motion is made in good faith and is not intended as a general "fishing expedition" and

- (5) A representation as to whether or not the material sought requires the production of personal or confidential information about a victim so as to invoke the notification provisions of Fed.R.Crim.P. 17(c)(3).

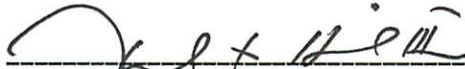
Ruling

Upon consideration of the motion for subpoena, the Magistrate Judge will make a determination as to whether the material sought is probably relevant and probably admissible. The Magistrate Judge may place limits on the requested production and will set forth the procedure for the time and place of the production and inspection of the material produced. The Clerk of Court will issue any such subpoena authorized by the Magistrate Judge pursuant to these provisions.

It is so ordered this 2nd day of June, 2021.



RONALD A. WHITE
CHIEF JUDGE, UNITED STATES DISTRICT COURT



JOHN F. HEIL, III
UNITED STATES DISTRICT JUDGE