

LCvR45 – Subpoena

LCvR45-1 Issuance of Subpoenas and Writs of Habeas Corpus Ad Testificandum.

(a) Issuance of Subpoenas. Any ~~litigant party~~, whether ~~self-represented or with counsel~~ pro se or represented by counsel, who is proceeding in forma pauperis must file a written motion requesting issuance of any subpoena. The motion shall be filed not less than twenty-one days before the date set for trial or hearing and shall include the following information.

(1) If for a hearing or deposition, the motion must set forth the name and address of each witness for whom a subpoena is sought, along with a brief summary of the substance of the witness' anticipated testimony.

(2) If for the production of documents, electronically stored information or tangible things, or to permit the inspection of premises, the motion must set forth a detailed description of the request.

(3) In its discretion, the Court may impose this requirement on ~~self-represented litigants~~ pro se parties not proceeding in forma pauperis.

(b) Writs of Habeas Corpus Ad Testificandum. In any petition for a writ of habeas corpus ad testificandum for a non-party witness, all ~~self-represented litigants~~ pro se parties must include the name, inmate number, if any, and address of the witness, along with a brief summary of the substance of the witness' anticipated testimony.

SUMMARY OF CHANGES

Minor changes for consistency with language used in other rules.