BENJAMIN R. ALDANA (16769)

UTAH COUNTY PUBLIC DEFENDER ASSOCIATION

Attorney for Defendant

180 North University Ave. Suite 140

Provo, Utah 84601

Telephone: (801) 852-1070

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| IN THE FOURTH JUDICIAL DISTRICT COURT  UTAH COUNTY, STATE OF UTAH | |
| STATE OF UTAH,  Plaintiff,  v.  JOHN DOE,  Defendant. | SUBPOENA DUCES TECUM  Case No. 000000000  Judge XXXXX |

THE STATE OF UTAH TO:

Draper Police Department

1020 Pioneer Rd.

Draper, Utah 84020

Telephone: (801) 576-6300 (phone number for Records)

Pursuant to Rule 45 of the Utah Rules of Civil Procedure,[[1]](#footnote-1) and Utah Code §§ 63-G-2-202(7), 63G-2-207, YOU ARE COMMANDED AS FOLLOWS:

1. To produce the records, documents, information, electronically stored information, and other tangible things listed in Paragraph 1.a of this Subpoena by permitting inspection and copying at your premises by the person(s) listed in Paragraph 1.b of this Subpoena or by making copies and delivering the copies to the person(s) listed in Paragraph 1.b of this Subpoena. Pursuant to Utah Rule of Civil Procedure 45(a)(1)(C)(iii), you are commanded to permit inspection and copying of **or** to copy the following records, documents, information, electronically stored information, and other tangible things in your possession or control, and to deliver the records, documents, information, electronically stored information, and other tangible things to the requesting party.
2. **Please Produce the Following**: Any and all police/initial contact reports, or other documents or information related to the investigation, arrest, or citation of Jane Doe (DOB 01-01-0000) on or about September 10, 2010, all of which is/are associated with Law Enforcement Agency case number 2010-00000 and citation number C000000000, which resulted in Draper City Justice Court case number 000000000 being filed against Ms. Doe.
3. **Please Deliver the Aforementioned Items/Information to**:

Benjamin R. Aldana

Utah County Public Defender Association

180 North University Ave. Suite 140

Provo, UT 84601

Email: receptionist@utcpd.com

Telephone: (801) 852-1070

1. Pursuant Rule 45(e)(2) of the Utah Rules of Civil Procedure, you must comply with this Subpoena within 15 days from the date you receive this Subpoena. (You may mail the documents so long as they are received within 15 days.)
2. Pursuant to Rule 45(d) of the Utah Rules of Civil Procedure, the requesting party shall be responsible for the reasonable costs of production or copying of the requested documents, information, and other tangible things that are requested in this Subpoena.
3. Pursuant to § 63G-2-202(7)(a)-(d), the requested records pertain to the defense investigation of the above-entitled matter, over which the above-named Court has jurisdiction; the Court has considered the merits of the request; the Court has limited the requester’s use and further disclosure of the record, *see* paragraph 5; and the Court finds that the interests favoring access to the records, documents, information, electronically stored information, and other tangible things which are the subject of this Subpoena are greater than or equal to the interests favoring restriction of access.
4. If any of the records, documents, information, electronically stored information, or other tangible things which are the subject of this Subpoena must be filed with the Court, they shall be filed as a non-public until further order of the Court, and no person or entity having access to anything requested in this Subpoena shall release, disclose or disseminate the same except as herein ordered without further order of the Court. *See* § 63G-2-202(7)(c).

\*\*\*\*\*END OF ORDER – SIGNATURE/DATE AT TOP OF FIRST PAGE\*\*\*\*\*

1. Rule 45 of the Utah Rules of Civil Procedure is applicable in criminal proceedings pursuant to Rule 14 of the Utah Rules of Criminal Procedure, to the extent those provisions are consistent with the Utah Rules of Criminal Procedure. [↑](#footnote-ref-1)