

CAUSE NO. CR- [REDACTED] -16-G

STATE OF TEXAS

* IN THE DISTRICT COURT

*

v.

* 370th JUDICIAL DISTRICT

*

[REDACTED]

* HIDALGO COUNTY, TEXAS

APPLICATION FOR EXPEDITED SUBPOENA DUCES TECUM

Comes now [REDACTED] DEFENDANT, hereinafter referred to as DEFENDANT, and makes application for the issuance of subpoena duces tecum for the herein below named organization/individual, to compel its provision of the below-mentioned documents for the Court. The place of business, exact location and avocation of said witness(es) (where known) may appear opposite the respective names, to-wit:

Witness in County	Business	Exact Location	Avocation
1. [REDACTED]	LPC, Methodist Healthcare,	717 W. Harrison Ave., Harlingen, TX	
78550-6001. 956 [REDACTED]			

Each above person/organization possesses property and information in behalf of the COURT; and it is believed by the Defendant that the provision of each of the said property and information is material for the COURT on the hearing in the above-entitled and numbered case.

Defendant prays that the said subpoena be made returnable on the 1st day of February 2017 at 9 a.m. or INSTANTER afterwards.

Respectfully submitted,

Law Office of Lennard K. Whittaker
P.O. Box 720876
McAllen, TX 78504
956 821 9918
fax: 866 596 6190
teksus@mac.com

By: _____
Lennard K. Whittaker
SBT 24008274

Attorney for [REDACTED]

THE STATE OF TEXAS, HIDALGO COUNTY

BEFORE ME, the undersigned authority, on this day personally appeared LENNARD K. WHITTAKER in this within-styled and numbered cause, to me well known, who being by me duly sworn, upon his oath deposes and says that the matters and things set forth in the foregoing application for subpoena are true and correct to the best of his knowledge and belief.

Lennard K. Whittaker

Sworn and subscribed before me this ____ day of _____, 2017.

Notary Public

CAUSE NO. CR- [REDACTED]-16-G

STATE OF TEXAS

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* IN THE DISTRICT COURT
* 370th JUDICIAL DISTRICT
* HIDALGO COUNTY, TEXAS

SUBPOENA

THE STATE OF TEXAS

TO ANY SHERIFF OR CONSTABLE OF THE STATE OF TEXAS OR OTHER PERSON AUTHORIZED TO SERVE SUBPOENAS UNDER Tex. Rule Civil P. 176. GREETINGS: YOU ARE HEREBY COMMANDED TO SUMMON AND DELIVER IN PERSON A TRUE COPY OF THIS SUBPOENA TO:

1. [REDACTED] LPC, Methodist Healthcare, 717 W. Harrison Ave., Harlingen, TX 78550-6001. 956 [REDACTED]

if found in your County, to give provide documents at 8:30 a.m. on __ **February 2017**, then and there to bring the following items to Lennard K. Whittaker, Attorney, in the 370th District Court, 100 N. Closner, Edinburg, Texas 78539, or, prior to __ **February 2017**, to Lennard K. Whittaker, Attorney, 1117 N. Main St., P.O. Box 720876, McAllen, TX 78501 or via email at teksus@mac.com or fax 866 596 6190:

ALL records (including counseling notes and emails) pertaining to [REDACTED] (dob [REDACTED]) from September 2016 to present.

in behalf of Defendant in cause no. CR-[REDACTED]-16-G pending in said Court, wherein Plaintiff is State of Texas and Defendant is [REDACTED] and there remain from day to day and from term to term until discharged by the Court.

HEREIN FAIL NOT, but have you then and there before said Court this subpoena, with your return endorsed thereon, showing how and when you have executed same.

Enforcement of Subpoena.

(a) **Contempt.** Failure by any person without adequate excuse to obey a subpoena served upon that person may be deemed a contempt of court from which the subpoena is issued or a district court in the county in which the subpoena is served, and may be punished by fine or confinement, or both.

(b) Proof of payment of fees required for fine or attachment. A fine may not be imposed, nor a person served with a subpoena attached, for failure to comply with a subpoena without proof by affidavit of the party requesting the subpoena or the party's attorney of record that all fees due the witness by law were paid or tendered. However, in a criminal action, fees due the witness should be tendered only after the person served with a subpoena obeys the subpoena.

This subpoena was prepared by attorney of record LENNARD K. WHITTAKER, whose phone number, fax number and address are: (956) 821 9918, fax (866) 596 6190, teksus@mac.com, P.O. Box 720876, McAllen, TX 78504.

WITNESS my official signature at Edinburg, Texas, to the issuance of this subpoena on this ____ day of _____, 2017.

TO: _____
*Insert "Instant" or exact date and hour

By: _____
Deputy District Clerk of Hidalgo
County, Texas

RETURN

Came to hand today, _____, 2017, at _____ o'clock ___m., and executed by reading this Subpoena in the presence and hearing of each within named witness at the following times and places, to wit:

NAME	DATE	TIME	PLACE
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and not executed as to the witness _____ for the following reasons: _____
_____. I actually and necessarily travelled _____ miles in the service of this Subpoena, in addition to any other mileage I may have traveled in the service of other process in this cause during the same trip.

Process Server

FEES: Summoning \$ _____
Mileage \$ _____
Total \$ _____