

REDWOOD CITY POLICE DEPARTMENT
SUBPOENA POLICY AND
PROCEDURAL MANUAL

ESUBPOENA

As of June 29, 2016 we started receiving San Mateo County criminal subpoenas through the DA's electronic subpoena system. The department will be notified of a new criminal subpoena through the work email. Traffic Subpoenas and Civilian Subpoenas will remain the same (paper) and the court list is printed like it is now.

Each person has been set up with a user id which is the two characters of the department (RC) and their last name (Example: RCNGUY) and the passwords are all Changem3. If there is more than one person with the same last name it will be their first initial and last name (Example: RCGNGUY). You will be able to change your passwords when you log in, it should include a capital letter and number. The link below is to access the system.

<https://ca.hostedbykarpel.com/CASanMateoeSubpoena/Login.aspx>

**Criminal subpoenas from different counties and traffic subpoenas will remain the same (paper).*

Frequently Asked Questions - Subpoena

FAQs

What is a Subpoena?

A subpoena is a legal document that commands a person or entity to testify as a witness at a specified time and place (at a deposition, trial, or other hearing), and/or to produce documents or other tangible objects in a legal proceeding. Subpoenas are time-sensitive with **court-imposed deadlines**.

Who can issue a Subpoena?

It can be issued by any attorney, a self-represented individual, or a service hired by an attorney, using court-supplied forms. Subpoenas can be issued in criminal cases, in private (“civil”) lawsuits; they may also be issued by government agencies conducting their own investigations and proceedings, administrative or criminal (e.g., IRS, SEC, FBI, even issued by the President of the United States on behalf of the military).

Are there different types of Subpoenas?

Yes – there are three kinds of subpoenas.

- i. A *Witness Subpoena* is a court order requiring a **person to appear in court** on a certain date and testify as a witness, usually in a trial.
- ii. A *Subpoena Duces Tecum* (meaning ‘subpoena for production of evidence’) is a court order requiring the person subpoenaed to **produce books, documents or other records** under his or her control at a specified time/place in a court hearing or a deposition. Oftentimes, compliance can be achieved by mailing, or sending records via e-mail, or providing the records at a specified date without an in-person appearance if arranged in advance.
- iii. A *Deposition Subpoena* is a court order requiring a person who is not a party to a lawsuit to provide copies of business records and/or **appear at a deposition to answer questions** asked by one party in a lawsuit. A *Deposition Subpoena* differs from the *Subpoena Duces Tecum* in that the documents and testimony requested are part of the “discovery process” before trial and may not be used in an actual court hearing.

What are the deadlines for responding to a Subpoena?

An individual served with a *subpoena duces tecum* or *deposition subpoena* is normally given a reasonable time to respond. A **valid** subpoena will provide, in accordance with the statute, a response date and location.

- a. For a *subpoena duces tecum* issued in a civil action, the records should be provided either within 15 days after the receipt of the subpoena, or within the time agreed upon by the party serving the subpoena and the custodian of records or witness. (Evid. Code § 1560(b)(2) and (b)(3).)
- b. For a *deposition subpoena* issued in a civil action, 15 days after the service, or 20 days after issuance of the deposition subpoena, whichever date is later, in which to respond. (Code Civ. Proc. § 2020.410(c).)
- c. For a *subpoena duces tecum* in a criminal action, the response must be provided five (5) days after receipt of the subpoena or within the time agreed upon by the party serving the subpoena and the custodian of records or witness. (Evid. Code § 1560(b)(1) and (b)(3).)

<https://chancellor.berkeley.edu/about/offices/legal-affairs/FAQs#faq-top>

Deposition

An oral statement made under oath

CIVILIAN

SUBPOENAS FOR CIVILIANS

Civilians are any citizens that are not sworn personnel at the Redwood City PD. For example John Doe, Jane Doe, Kaiser Doctors, Kaiser Custodian of Records, Bank of America Custodian of Records, etc.

- You should have two copies of each subpoena (Make sure the subpoena has been signed by the DA); one we get back with the proof of service and another one for the witness to keep. Stamp each subpoena with the “Date Stamp” The “OFCR/WITNESS COPY” stamp goes only on the copy for the witness (usually the 2nd copy)
- Check the address and make sure it is our jurisdiction.
 - ✓ If the address is the Sheriff’s Office jurisdiction fax it to them. Return the subpoena to the District Attorney’s office with the proof that we faxed it to the S/O (make sure you still enter it in RIMS and note somewhere on the subpoena why you are returning it to them). Send it attention Carol Hurst at fax number (650) 599-1563.
 - ✓ If the address is neither our jurisdiction nor the Sheriff’s Office jurisdiction then follow the fore mentioned instructions faxing it to the appropriate agency.

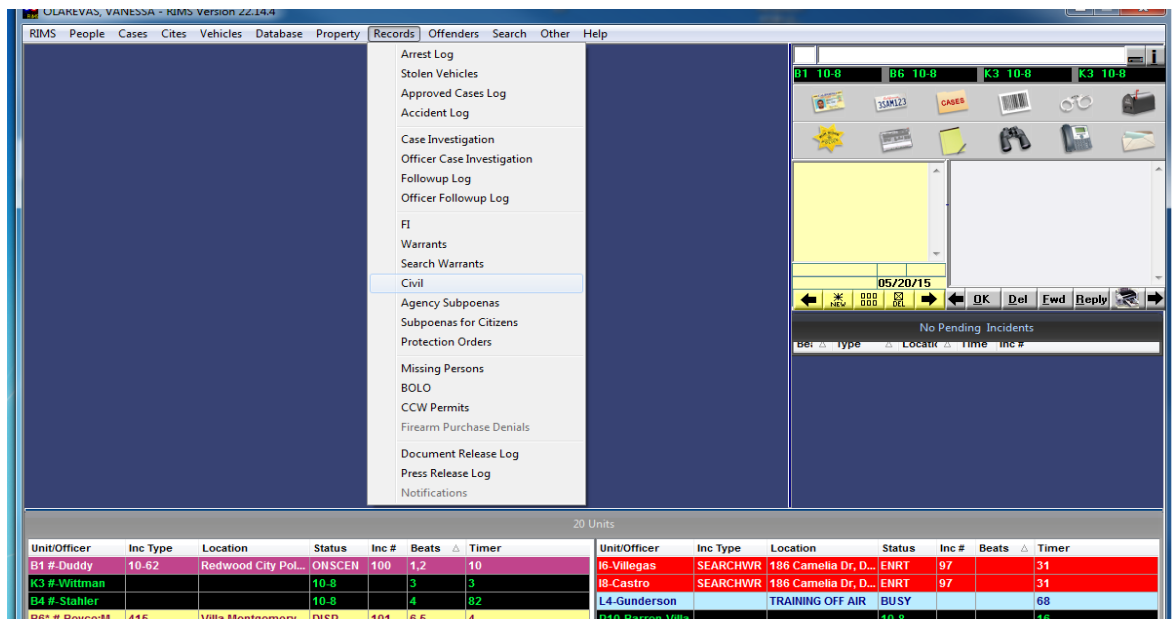
***Note:**

- ✓ All subpoenas for Kaiser (doctors/ medical records) must be served at address 620 Galveston Dr., Redwood City.
- ✓ If you received any subpoenas for DMV REPRESENTATIVE, all of these must be returned to the DA with a note indication that DMV wants these subpoenas served to the Sacramento office: DMV Legal Affair Division, 2415 First Av, and Sacramento, CA 95818.
- ✓ If you receive any subpoenas for Social Security Administration, all of these must be returned to the DA with a note. (They want these

subpoenas served to the Regional Office: 1221 Nevin St, Richmond CA
94108)

CREATING A CIVIL SUBPOENAS

- Click “RIMS”
- Click “RECORDS”
- Click “Civil”



This will bring you to a window titled “Civil Log”

ID #	Person to be Served	Type	Date Received	Reference #	Status
14776		Subpoenas	07/28/2016		Active
14779		Subpoenas	07/29/2016		Active
14780		Subpoenas	07/29/2016		Active
14781		Subpoenas	07/29/2016		Active
14786		Subpoenas	07/29/2016		Active
14787		Subpoenas	07/29/2016		Active
14790		Subpoenas	07/29/2016		Active
14795		Subpoenas	07/29/2016		Active
14798		Subpoenas	07/29/2016		Active
14803		Subpoenas	08/01/2016		Active
14804		Subpoenas	08/01/2016		Active
14805		Subpoenas	08/01/2016		Active
14806		Subpoenas	08/01/2016		Active
14807		Subpoenas	08/01/2016		Active
14808		Subpoenas	08/01/2016		Active
14812		Subpoenas	08/02/2016		Active
14814		Subpoenas	08/02/2016		Active

Name Civil # Ref #

- Type the name of the witness (last, first) in the “Name” field then click “Add Item”
- This will bring you to a window titled “Matches for Last Name”

One similar match found for entered name

#	Name	Address	Age	DOB	DL	St	ID
1	[REDACTED]	[REDACTED]	37	[REDACTED]	[REDACTED]	CA	[REDACTED]

Choice ☐ If this is the person you were about to add, select it and update the record as necessary. Otherwise, select "Cancel" or "Add as New Person"

OK Cancel Add as New Person

- Select the one that matches the information on your subpoena or click “Add as New Person” if the person is not on the list.
- You should see the following window Person”

Sjith, John Doe

Page 1 | Page 2 | Page 3 | SMT | Assoc Persons | Assoc Vehicles | Aliases | Photos | Attachments | Notes | Queries | Audit

Name: SJITH, JOHN DOE | DOB: [REDACTED] | Age: [REDACTED]

Adrs: [REDACTED] | Apt: [REDACTED] | City: [REDACTED]

State: CA | Zip: [REDACTED] | Phone: [REDACTED] | Cell: [REDACTED]

Sex: [REDACTED] | Ht: [REDACTED] | Wt: [REDACTED] | ID: 580055

Race: [REDACTED] | SSN: [REDACTED] | Dr Lic: [REDACTED]

Hair: [REDACTED] | FBI: [REDACTED] | Veh Lic: [REDACTED]

Eyes: [REDACTED] | CII: [REDACTED] | Make: [REDACTED]

Eth: [REDACTED] | Corr #: [REDACTED] | Model: [REDACTED]

Comment: [REDACTED] | Age Range: [REDACTED] as of [REDACTED]

Ofcr Safety: [REDACTED]

Email: [REDACTED]

Prev OK Add History Delete Cancel Combine Tag Person Print Next

- Look through the information and make sure it's the right person;
 - ✓ If all the information is complete click "OK"
 - ✓ If this is a New Person fill in the blanks with the information on your subpoena then click "OK"
- You should see the following window "Civil":

- Your cursor should be in the "Type" field, select "Subpoenas" from the drop-down menu then tab over to the next field.
- The box for Status should show "Active"
- Tab over to "Case #":
 - ✓ Type in our case number with the dashes.
 - ✓ If the subpoena has another agency's case number; or if there is no case number; leave this field blank.
- Tab over to "Ref #" and type in the court case number (also known as docket or court case number)
- Tab over to "Issued by" type in the District Attorney's name and phone number
- Tab over to "Date Rcvd" make sure it matches with the date the subpoena was received (today's date should automatically default in this field)
- Tab over to "Defendant" type in the defendant's name (last, first)
- Tab over to "Plaintiff" (always type "The People of the State of CA")

- Tab over to “Court” type in the court: (the following are the most common)
 - ✓ Southern Muni
 - ✓ Northern Muni
 - ✓ Juvenile Court
 - ✓ Superior Court County of San Mateo
- Tab to “Ct Date” type in the court date
- Tab to “Ct Time” type in the court time
- Tab to “Note” if you have additional notes or comments you can type them in this field. For Example:
 - ✓ If a subpoena were addressed to a minor, you would receive another one for the Parent/Guardian of the minor. If this is the case type “Subpoena is also for Parent/Guardian” in this field
 - ✓ If subpoena is in care of an officer you would type “C/O Officer (name)”
 - ✓ If the subpoena was faxed to the Sheriff’s Office their jurisdiction you would type “faxed to S/O (date) by (your ID number and/or initials)”
 - ✓ What type of subpoena it is for (Prelim, Jury trial)
 - ✓ Other agency’s Case #
 - ✓ Or any other information or comments you think is necessary

EXAMPLE

The screenshot shows a software window with a 'Note' field containing the text 'PRELIM HRG'. Below the field is a row of buttons: 'Prev' (with a left arrow), 'OK' (with a red border), 'Cancel', 'Delete', 'Attempt Svc', 'Vehicle', 'Clone', 'Print' (with a printer icon), and 'Next' (with a right arrow).

SEE THE FOLLOWING PAGES FOR EXAMPLES OF DIFFERENT SUBPOENAS

SOUTHERN MUNI

**IN THE MUNICIPAL COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SAN MATEO**

THE PEOPLE OF THE STATE OF CALIFORNIA

Plaintiff,

vs.

Defendant(s)

PD # [REDACTED]

CT # [REDACTED]

DA # [REDACTED]

SUBPOENA - CRIMINAL

FOR PRELIM HRG

The People of the State of California send Greetings to:

[REDACTED], REDWOOD CITY, CA 94060

COMMENT: DO NOT PARK AT 2-HOUR PARKING METERS. 10 HOUR PARKING METERS
AVAILABLE ON BRADFORD STREET, 2 BLOCKS SOUTH OF MIDDLEFIELD
ROAD. ANY CITATIONS ISSUED WILL BE YOUR RESPONSIBILITY.

LAW ENFORCEMENT USE ONLY: For tape recorded next day case update please phone (650) 363-4606.

YOU ARE COMMANDED to appear in the above-named SUPERIOR Court at HALL OF JUSTICE, 400
COUNTY CENTER 4TH FLR, REDWOOD CITY, CA on OCTOBER 20, 2008 at 9:00 AM as a witness in the
above criminal action, and

REQUESTED to appear at the District Attorney's Office, at 400 COUNTY CENTER, REDWOOD CITY,
CA 94063, THIRD FLOOR, on OCTOBER 20, 2008 at 8:00 AM, before going into Court.

Given under my hand this OCTOBER 1, 2008

JAMES P. FOX

District Attorney in and for the County of San Mateo
State of California

PLEASE BRING THIS SUBPOENA WITH YOU.

By

Elizabeth M Hill

DEPUTY DISTRICT ATTORNEY

NOTE: For information relating to your appearance as a witness please contact Deputy
ELIZABETH M HILL of the District Attorney's Office. Telephone: (650) 363-4002. By: VSK

NORTHERN MUNI

IN THE MUNICIPAL COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SAN MATEO

THE PEOPLE OF THE STATE OF CALIFORNIA

Plaintiff,

vs.

Defendant(s)

PD # [REDACTED]

CT # [REDACTED]

DA # [REDACTED]

SUBPOENA - CRIMINAL

FOR JURY TRIAL

The People of the State of California send Greetings to:

[REDACTED]

[REDACTED] REDWOOD CITY, CA 94061

[REDACTED]

LAW ENFORCEMENT USE ONLY: For tape recorded next day case update please phone (650) 873-7888.

YOU ARE COMMANDED to appear in the above-named SUPERIOR Court at 1080 MISSION ROAD, SOUTH SAN FRANCISCO, CA on OCTOBER 20, 2008 at 8:15 AM as a witness in the above criminal action, and

REQUESTED to appear at the District Attorney's Office, at 1080 MISSION RD, SOUTH SAN FRAN, CA 94088, on OCTOBER 20, 2008 at 8:15 AM, before going into Court.

Given under my hand this OCTOBER 2, 2008

JAMES P. FOX

District Attorney in and for the County of San Mateo,
State of California

PLEASE BRING THIS SUBPOENA WITH YOU.

Todd J. Fierberg
DEPUTY DISTRICT ATTORNEY

NOTE: For information relating to your appearance as a witness please contact Deputy TODD J FIERBERG of the District Attorney's Office. Telephone: (650) 363-4877. By: PCF

SUPERIOR COURT OF SAN MATEO

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF SAN MATEO

THE PEOPLE OF THE STATE OF CALIFORNIA

Plaintiff,

v.

Defendant(s).

No. [REDACTED]

SUBPOENA

FOR (Jury Trial)

POLICE NO. [REDACTED]

The People of the State of California send Greetings to:

[REDACTED]
[REDACTED]
Redwood City, CA 94063
[REDACTED]

Re: Blood Draw of [REDACTED]

YOU ARE COMMANDED to appear in the above-named SUPERIOR COURT at 400 COUNTY CENTER, REDWOOD CITY, CALIFORNIA, on December 20, 2016, at 9:00 AM, as a witness in the above criminal action, and

REQUESTED to appear at the San Mateo County District Attorney's Office, at 400 County Center, 4th Floor, Redwood City, California, **45 minutes before the above scheduled appearance.**

PLEASE BRING THIS SUBPOENA WITH YOU.

GIVEN under my hand this December 12, 2016

STEPHEN M. WAGSTAFFE, DISTRICT ATTORNEY

RECEIVED

DEC 14 2016

REDWOOD CITY POLICE

By


Kyle W Cakebread, Deputy District Attorney

KWC/kwc

NOTE: For information relating to your appearance as a witness, please contact Deputy Kyle W Cakebread of the San Mateo County District Attorney's office. Telephone: (650) 363-4677 Email: kcakebread@smcgov.org

JUVENILE COURT

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SAN MATEO
IN SESSION AS A JUVENILE COURT

In the Matter of

ARCADIO TORRES,

a Minor.

SUBPOENA

Petition No. 38728

The People of the State of California send Greetings to:

TEAM MEMBER, [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

THERE ARE NO CELL PHONES, CAMERAS, RECORDING OR PAGING DEVICES
ALLOWED IN THE COURT BUILDING. (including law enforcement)
PLEASE LEAVE THESE ITEMS IN YOUR VEHICLES.

THERE WILL BE NO FOOD OR DRINKS ALLOWED IN THE COURT BUILDING

PLEASE DRESS APPROPRIATELY FOR COURT

YOU ARE COMMANDED to appear as a witness in the above matter on March 5, 2009, before the above-
captioned court at the Youth Service Center, 322 Paul Scott Drive, San Mateo (see attachment on reverse
side).

PLEASE ARRIVE AT 8:00 A.M. AND REPORT TO THE OFFICE OF THE DISTRICT ATTORNEY.

If you have any questions, please call Deputy District Attorney Patrick Briggs at Telephone Number (650)
312-3383.

Given under my hand and seal of this court this February 20, 2009.

JAMES P. FOX

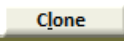
District Attorney in and for the County
of San Mateo, State of California

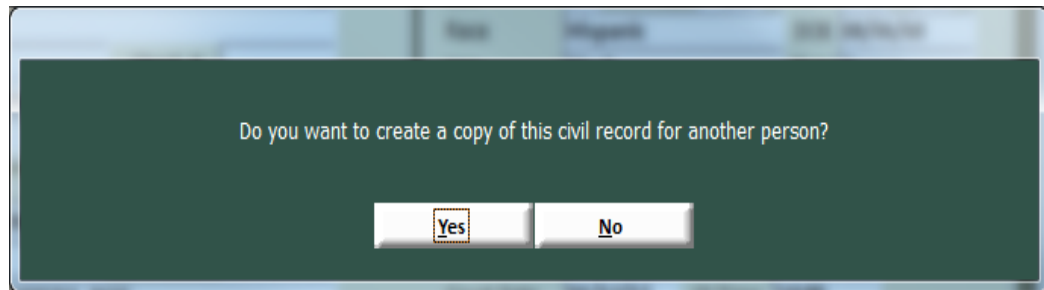

Deputy District Attorney

PLEASE BRING THIS SUBPOENA WITH YOU TO COURT.

MULTIPLE SUBPOENAS FOR THE SAME DEFENDANT

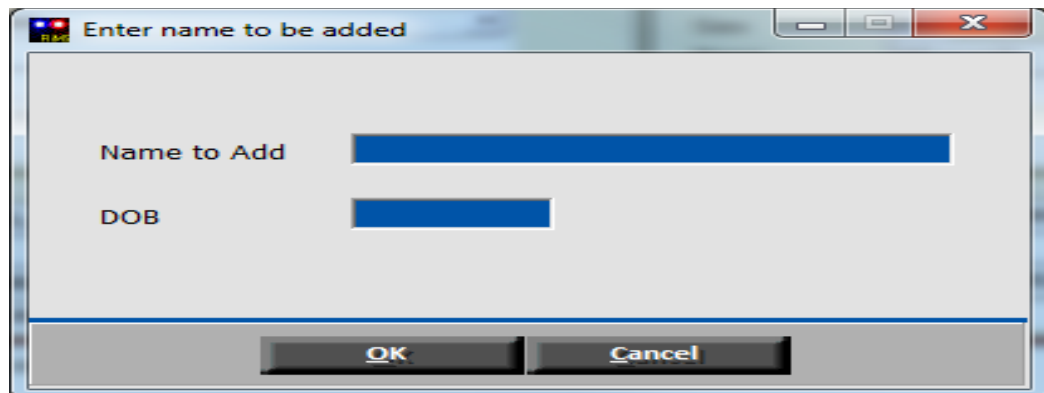
- You can “clone” the subpoena by going to the original subpoena entry for the defendant.

- click 



- Will pop up.

- Select Yes



- Enter the civilians name and Click “OK”.

- If the civilian has ever been in contact with our agency the following window will appear

#	Name	Address	Age	DOB	DL	St	ID
1							

Choice ☐ If this is the person you were about to add, select it and update the record as necessary. Otherwise, select "Cancel" or "Add as New Person"

OK Cancel Add as New Person

(If the civilian has never been in contact with our agency then you would have to create a new person record by clicking **Add as New Person**)

- Once you click “ok” to the person’s record the following is an example of what the duplicate entry looks like. Everything should be pre-filled except the “Court time” you will need to fill that in. Also, be aware that the “Civil #” will be different. Once you input the time click “OK” and you are done.

Civil

Page 1 | Attempted Service History | Entered By | Return Info | Attachments

Info

Name: [Redacted]
 Civil #: 15427
 Type: Subpoenas
 Status: Active
 Desc: [Redacted]
 Fee: [Redacted] Check #: [Redacted]
 Case #: [Redacted] Ref #: [Redacted]
 Served: [Redacted] By: [Redacted]

Personal Info

Address: [Redacted]
 Bus. Adrs: [Redacted]
 Phone: [Redacted] Bus. Phone: [Redacted]
 Sex: F Wt: 123 Ht: 5 3
 Race: Hispanic DOB: [Redacted]
 Hair: Brown Eyes: Brown
 Vehicle Description: [Redacted]

Source

Issued by: KING, LUCAS
 Date: [Redacted] Date Rcvd: 12/14/2016
 Defendant: CABRERA, NOE
 Plaintiff: THE PEOPLE OF THE STATE OF CALIF

Court

Court: SUPERIOR
 Judge: [Redacted]
 Court Date: 01/12/2017 Ct Time: [Redacted]
 Exp Date: [Redacted]

Note

PRELIM HRG

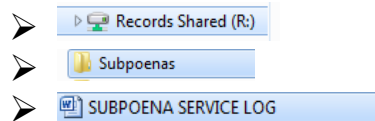
Prev OK Cancel Delete Attempt Svc Vehicle Clone Print Next

- Write down the “Civil” number (located under the name of civilian entry) next to the name of the physical subpoena. You will need it later for the Civilian Service Worksheet.
- Now click “OK” (your screen should disappear and you should now be back to where you started, the “Civil Log”).
- Repeat these steps for each subpoena.

CREATING A SUBPOENA SERVICE LOG

After you have completed your civil entry, you will create a Service log. This form is attached to the first page of the civil subpoena. It is used to for reference/ notes for the officer and subpoena clerk. This form can be found in the R: Drive under Subpoenas.

THE FOLLOWING IS AN EXAMPLE OF THE SUBPOENA SERVICE LOG THAT CAN BE FOUND IN THE R DRIVE:



**REDWOOD CITY POLICE DEPARTMENT
SUBPOENA SERVICE LOG**

RECEIVED: 11/15/17 SERVE PRIOR TO: 12/04/17

☐ **RUSH** ☐ **DOMESTIC VIOLENCE/ URGENT SERVICE**
☐ **BUSINESS** ☐ **PLEASE SERVE BEFORE 16:30** ☐ **EVENING SVC**

BEAT: 7	ADDRESS: [REDACTED]
CIV#: 16767	WITNESS #1: [REDACTED]
CIV#:	WITNESS #2:
CIV#:	WITNESS #3:

PLEASE COMPLETE EACH COLUMN AND ENTER THE INFO IN RIMS

BADGE #	DATE	TIME	COMMENTS

PLEASE REMEMBER TO FILL OUT THE "PROOF OF SERVICE" OF EACH SERVED SUBPOENA

- If your subpoena is a Rush click on the box for “Rush”. If your subpoena is for a Domestic Violence case click on the box for “Domestic Violence” and so on. Next, you just have to fill in the blanks with all the necessary information.
- Look up each address and find out what beat each subpoena belongs to. Type the Beat number at the bottom of the worksheet
- Print the Subpoena Service Log.
- Repeat these steps for each subpoena.
- Place the subpoenas in Subpoena crate in the Sgts’ Office: B and/or C- Watch (Mon-Thur)/ B and/or C–Watch Weekends (Fri-Sun)

CIVILIAN SUBPOENA RETURNS

- The officers will note in RIMS all their attempts and return the subpoenas to Records the Sgt’s office; there is a “Non-served Subpoena” tray next to the crate; each morning empty the tray out and distribute unserved subpoenas accordingly.
- They will also make a note in RIMS that they served the subpoena(s) and will place the subpoena in the “Subpoena” tray in the copy room.
- Once you pick up the served subpoenas log into the Civil Log and type the CIV number in the Civil Log to bring up the name.
- If served, make sure the Status has been changed to “Served” and the Served section has the served date and “by” has the officer’s Badge #
- Check the back to make sure the officer signed it, stamp it served and return it to the court by putting it in the red folder located in Court Officer tray in the copy room.
- If the subpoena has not been served, make sure the Attempt Service History tab and the comments on the Subpoena Log are entered. In addition, you will

also have to note in the attempted service history tab when you received and sent back the subpoena.

The screenshot shows a software application window titled "Civil". At the top, there are window control buttons (minimize, maximize, close). Below the title bar, there is a navigation bar with tabs: "Page 1", "Attempted Service History" (selected), "Entered By", "Return Info", and "Attachments".

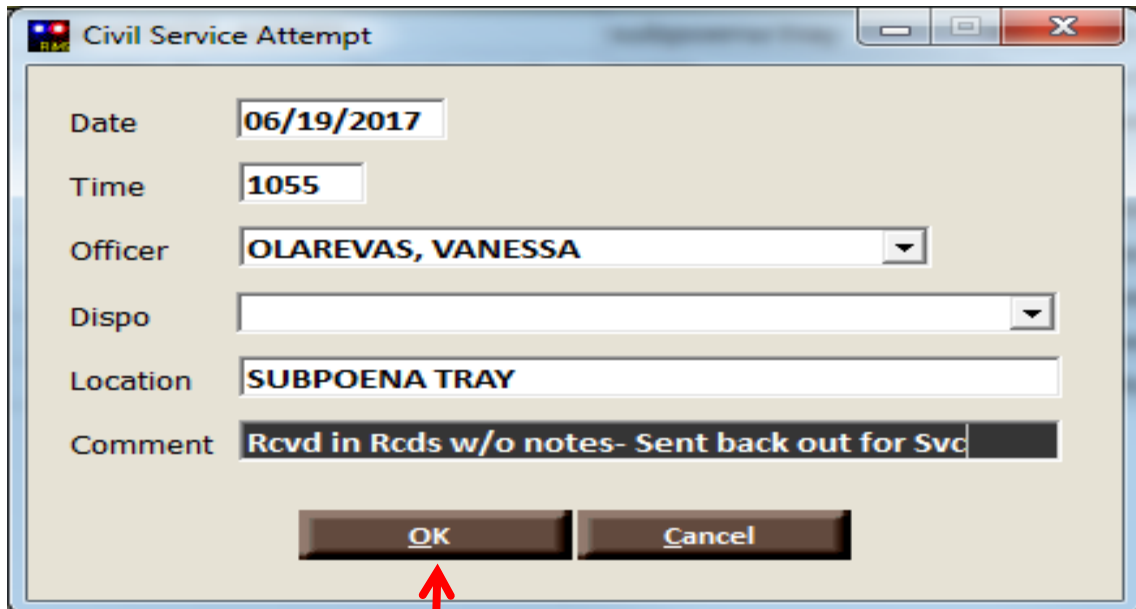
The main content area is divided into several sections:

- Info:** Contains fields for Name, Civil # (16136), Type (Subpoenas), Status (Active), Desc, Fee, Case #, Served, Check #, Ref #, and By.
- Personal Info:** Contains fields for Address, Bus. Adrs, Phone, Bus. Phone, Sex (M), Wt (150), Ht (5), Race (Hispanic), DOB, Hair (Black), Eyes (Brown), and Vehicle Description.
- Source:** Contains fields for Issued by (WADE, JAMES 650-312-5303), Date, Date Rcvd (06/16/17), Defendant, Plaintiff (THE PEOPLE OF THE STATE OF CA), Court (JUVENILE COURT), Judge, Court Date (06/26/17), Ct Time (0800), and Exp Date.
- Note:** A large text area containing the word "JUVENILE".

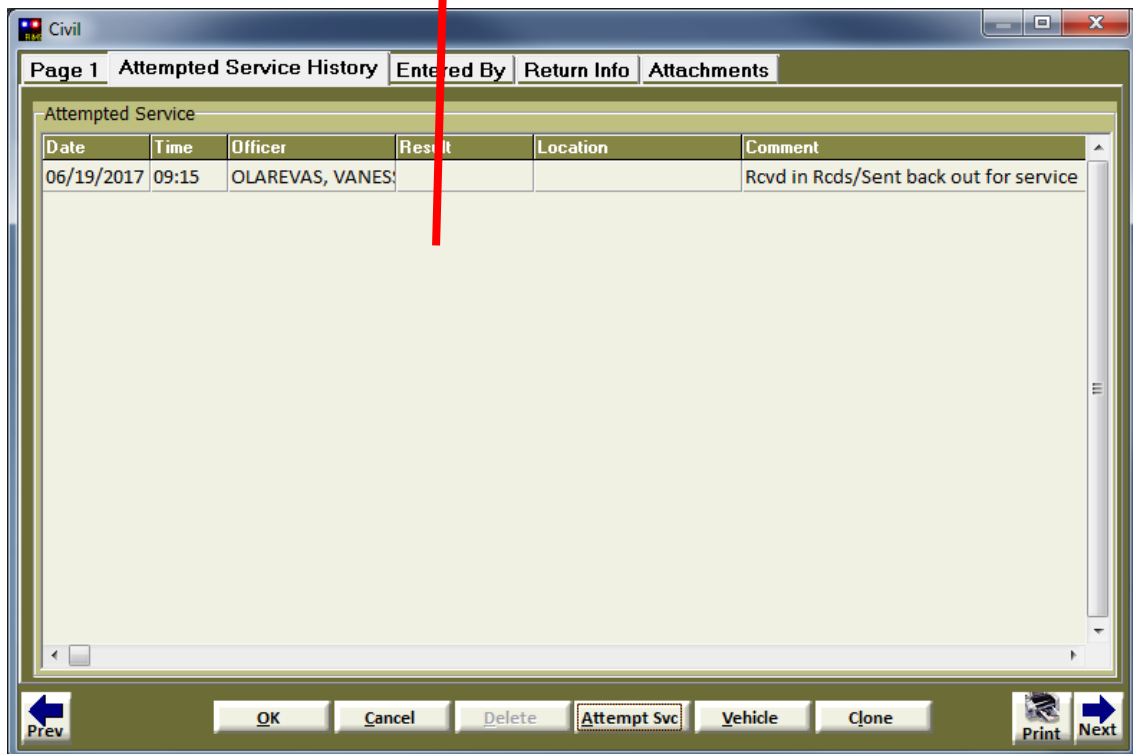
A red arrow points to the "Check #" field in the "Info" section. At the bottom of the window, there is a navigation bar with buttons: "Prev", "OK", "Cancel", "Delete", "Attempt Svc", "Vehicle", "Clone", "Print", and "Next".

The screenshot shows a software window titled 'Civil'. It has a tabbed interface with the following tabs: 'Page 1', 'Attempted Service History', 'Entered By', 'Return Info', and 'Attachments'. The 'Attempted Service History' tab is active, displaying a table with the following headers: 'Date', 'Time', 'Officer', 'Result', 'Location', and 'Comment'. The table is currently empty. At the bottom of the window is a toolbar with buttons: 'Prev', 'OK', 'Cancel', 'Delete', 'Attempt Svc', 'Vehicle', 'Clone', 'Print', and 'Next'. A red arrow points to the 'Attempt Svc' button.

ONCE YOU CLICK ON ATTEMPT SVC THE WINDOW POPS UP



A screenshot of a 'Civil Service Attempt' dialog box. It contains several input fields: 'Date' with '06/19/2017', 'Time' with '1055', 'Officer' with a dropdown menu showing 'OLAREVAS, VANESSA', 'Dispo' with an empty dropdown, 'Location' with 'SUBPOENA TRAY', and 'Comment' with 'Rcvd in Rcds w/o notes- Sent back out for Svc'. At the bottom are 'OK' and 'Cancel' buttons. A red arrow points from the 'OK' button to the 'Attempted Service History' table in the window below.



A screenshot of the 'Civil' window showing the 'Attempted Service History' tab. The window has a table with columns: Date, Time, Officer, Result, Location, and Comment. The first row contains the data from the dialog box above. Below the table are navigation buttons: Prev, OK, Cancel, Delete, Attempt Svc, Vehicle, Clone, Print, and Next. A red arrow points from the 'OK' button in the dialog box above to the 'Attempted Service History' table.

Date	Time	Officer	Result	Location	Comment
06/19/2017	09:15	OLAREVAS, VANES			Rcvd in Rcds/Sent back out for service

- Once you are done entering the info place the subpoena back in the appropriate Watch tray.
- If the officers notate that the subpoena should be served in the evening or if B-Watch / B-Watch Weekends have attempted service at least twice with negative results, stamp the subpoena worksheet “ FOR EVENING SERVICE” above the Attempts/ Comments and place in C-Watch (MON.- THUR.) or C-Watch Weekends (FRI.-SUN.)
- If the subpoena cannot be served, change the Status of to “Unable to Locate”. Make sure the Attempt Service History tab and the comments on the Subpoena Worksheet are entered and consistent. Then go the Return Info tab and enter the date returned to the DA, the time, your badge number in the “by” section and a brief description of why you are sending it back to the DA. Stamp the physical subpoena “ UNABLE TO SERVE” and write the date, same brief description of why the subpoena is being returned and your badge number in the lines provided by the stamp
- Return it to the court by putting it in the red folder located in Court Officer tray in the copy room.

COMMON NOTES TO USE IN RIMS

04-27-16 OFFICER ON MEDICAL LEAVE - UNK RETURN DATE/ SENT SUBPOENA BACK TO DA WITH NOTATION #1150

04-09-15 PER PREVIOUS SUBPOENA - NO LONGER AT ADDRESS/ RETURNED TO DA WITH NOTATION #1150

05-03-16 NO LONGER WORKS AT TARGET/ RT TO DA WITH NOTATION 05-03-16 #1150

PRELIM HRG PD# SO1408683 C/O CUSTODIAN OF RECORDS 04-16-15 SERVED TO MARITES

JURY TRIAL 2ND SUBPOENA FOR PARENT/ GUARDIAN

05-27-15 PER PREVIOUS SUBPOENA, NOT EMPLOYED AT FOODSCO/ RETURNED TO DA WITH NOTATION #1150

04-12-16 OFFICER ON PREPLANNED VACATION 04-14-16 RETURN DATE 04-27-16/ SENT SUBPOENA BACK TO DA WITH NOTATION #1150

04-12-16 OFFICER ON FMLA 04-10-16 RETURN DATE 07-8-16/ SENT SUBPOENA BACK TO DA WITH NOTATION #1150

04-27-16 HAS NOT LIVED AT RESIDENCE FOR OVER 2 YRS. / SENT SUBPOENA BACK TO DA WITH NOTATION #1150

06-01-16 S/O JURISDICTION- FAXED TO S/O AND SENT BACK TO DA WITH NOTATION #1150

04-28-16 CAMPBELL JURISDICTION- FAXED TO CAMPBELL PD AND SENT BACK TO DA WITH NOTATION #1150

04/22/16 UNABLE TO SERVE PRIOR TO COURT DATE/ SENT SUBPOENA BACK TO DA WITH NOTATION #1150

04-26 -16 FAXED TO CHP/ RTN TO DA WITH NOTATION #1150

04-27-16 DOES NOT LIVE AT RESIDENCE/ SENT SUBPOENA BACK TO DA WITH NOTATION #1150

05-05-16 ADDRESS IS INCORRECT/ SENT SUBPOENA BACK TO DA WITH NOTATION #1150

06-27-16 OFFICER RETIRED// SENT SUBPOENA BACK TO DA WITH NOTATION #1150

NORMALLY YOU CAN APPLY THESE NOTES UNDER THE CIVIL SUBPOENAS

Civil

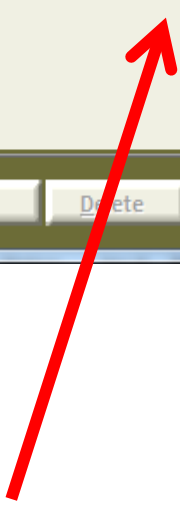
Page 1 | **Attempted Service History** | Entered By | Return Info | Attachments

Info		Personal Info	
Name	[REDACTED]	Address	[REDACTED]
Civil #	15768	Bus. Adrs	NONE
Type	Subpoenas	Phone	[REDACTED] Bus. Phone [REDACTED]
Status	Forwarded To Other Agency	Sex	F Wt 175 Ht 5 1
Desc		Race	Hispanic DOB [REDACTED]
Fee	Check # [REDACTED]	Hair	Brown Eyes Brown
Case #	Ref # [REDACTED]	Vehicle Description	
Served	By [REDACTED]		

Source		Court	
Issued by	VIELMAN-REEVES, PAULA 650-363-46	Court	SUPERIOR
Date	Date Rcvd 03/06/17	Judge	
Defendant	[REDACTED]	Court Date	03/20/17 Ct Time 09:00
Plaintiff	THE PEOPLE OF THE STATE OF CALIF	Exp Date	

Note JURY TRIAL [REDACTED] 03-06-17 S/O JURISDICTION- FAXED TO S/O AND SENT BACK TO DA WITH NOTATION #1150

Prev OK Cancel Delete Attempt Svc Vehicle Clone Print Next



EXAMPLES OF "CIVILIAN" SUBPOENA ENTRIES

HOSPITAL

Civil

Page 1 | Attempted Service History | Entered By | Return Info | Attachments

Info		Personal Info	
Name	[REDACTED]	Address	[REDACTED]
Civil #	15221	Bus. Adrs	
Type	Subpoenas	Phone	650-723-5721 Bus. Phone
Status	Active	Sex	Wt 0 Ht 0 0
Desc		Race	DOB
Fee	Check #	Hair	Eyes
Case #	Ref #	Vehicle Description	
Served	By		

Source		Court	
Issued by	DREYFUSS, REBECCA	Court	SUPERIOR
Date	Date Rcvd 10/31/16	Judge	
Defendant	[REDACTED]	Court Date	11/04/2016 Ct Time 09:00
Plaintiff	THE PEOPLE OF THE STATE OF CALIF	Exp Date	

Note PRELIM HRG SUBPOENA DUCES TECUM [REDACTED]

Prev OK Cancel Delete Attempt Svc Vehicle Clone Print Next

LOSS PREVENTION

Civil

Page 1 | Attempted Service History | Entered By | Return Info

Info		Personal Info	
Name	[REDACTED]	Address	[REDACTED]
Civil #	14247	Bus. Adrs	LOSS PREVENTION SERVICES, CA 95208
Type	Subpoenas	Phone	Bus. Phone
Status	Active	Sex	M Wt 260 Ht 6 3
Desc		Race	Hispanic DOB 03/20/55
Fee	Check #	Hair	Eyes Brown
Case #	Ref #	Vehicle Description	
Served	By		

Source		Court	
Issued by	MARTIN, JOSHUA T. 650-363-4677	Court	SUPERIOR COURT
Date	Date Rcvd 03/03/2016	Judge	
Defendant	[REDACTED]	Ct Date	03/14/2016 Ct Time 08:15
Plaintiff	THE PEOPLE OF THE STATE OF CALI	Exp Date	

Note JURY TRIAL C/O NOB HILL FOODS

Prev OK Cancel Delete Attempt Svc Vehicle Clone Print Next

HILLCREST/JUVENILE

Page 1		Attempted Service History	Entered By	Return Info
Info Name: [REDACTED] Civil #: 13436 Type: Subpoenas Status: Active Desc: Fee: Check #: Ref #: 84405 Case #: Served By:		Personal Info Address: [REDACTED] REDWOOD CITY Bus. Adrs: Phone: Bus. Phone: Sex: M Wt: 0 Ht: 0 0 Race: Other DOB: [REDACTED] Hair: Black Eyes: Brown Vehicle Description:		
Source Issued by: BELLUOMINI, SANDRA 650-312-53 Date: Date Rcvd: 06/22/2015 Defendant: [REDACTED] Plaintiff: THE PEOPLE OF THE STATE OF CA		Court: HILLCREST Judge: Ct Date: 07/27/2015 Ct Time: 0800 Exp Date:		
Note HILLCREST				
Prev OK Cancel Delete Attempt Svc Vehicle Clone Print Next				

ENTRY FOR PARENT OR GUARDIAN (DO NOT CREATE A DUPLICATE ENTRY JUST ADD
"2ND SUBPOENA FOR PARENT OR GUARDIAN" IN NOTE SECTION & SUBPOENA WKST)

Page 1		Attempted Service History	Entered By	Return Info
Info Name: [REDACTED] Civil #: 14272 Type: Subpoenas Status: Active Desc: Fee: Check #: Ref #: 84910 Case #: Served By:		Personal Info Address: [REDACTED] REDWOOD CITY Bus. Adrs: Phone: Bus. Phone: Sex: M Wt: 130 Ht: 5 2 Race: Hispanic DOB: [REDACTED] Hair: Brown Eyes: Brown Vehicle Description:		
Source Issued by: WADE, JAMES A 650-312-5303 Date: Date Rcvd: 03/08/16 Defendant: [REDACTED] Plaintiff: THE PEOPLE OF THE STATE OF CALI		Court: HILLCREST Judge: Ct Date: 03/22/16 Ct Time: Exp Date:		
Note HILLCREST 2ND SUBPOENA FOR PARENT OR GUARDIAN				
Prev OK Cancel Delete Attempt Svc Vehicle Clone Print Next				

CIVILIAN IN CUSTODY OF AN OFFICER (SUBPOENA SHOULD BE GIVEN TO THAT OFFICER/DET FOR THEM TO SERVE TO CIVILIAN DIRECTLY)

Civil

Page 1 **Attempted Service History** Entered By Return Info Attachments

Info		Personal Info	
Name		Address	REDWOOD CITY
Civil #	15310	Bus. Adrs	SELBY LANE
Type	Subpoenas	Phone	
Status	Active	Sex	M
Desc		Wt	185
Fee		Ht	5 10
Case #		Race	Hispanic
Served		Hair	Black
Check #		DOB	
Ref #	SF399329A	Eyes	Brown
Vehicle Description			

Source		Court	
Issued by	ABANTO, BRYAN 650-363-4688	Judge	
Date		Court Date	12/12/2016
Defendant		Ct Time	08:45
Plaintiff	THE PEOPLE OF THE STATE OF CALIF	Exp Date	

Note JURY TRIAL C/O DET. PEREZ

Prev OK Cancel Delete Attempt Svc Vehicle Clone Print Next

OFFICERS

SUBPOENAS FOR OFFICERS

Essentially, you will follow similar steps as the civil subpoena process. Again, this process is for traffic and outside agency subpoenas. All San Mateo County Criminal Subpoenas are sent electronically.

- Stamp each subpoena with the “Date Stamp” (you should have two copies of each subpoena; the one we get back with the proof of service and another one for the officer to keep). The “OFCR/WITNESS COPY” stamp goes only on the copy for the officer.
- Check the name of the officer to verify that officer is a RCPD officer. If the name of the officer does not reflect a current employee, return it to the DA (make sure you note somewhere on the subpoena why you are returning it to them).
- Check if it’s a “Rush” subpoena or not. It is crucial that you pay extra attention to the court dates on the subpoenas because the officers all work different shifts. For example, if you receive a subpoena by fax Thursday at 17:00 and the court date is the following Monday at 08:00 and the subpoena is for an officer who works B-Watch 4/10s: you will enter these as usual, but you might need to call the officer at home or cell to inform him or her of the rush subpoena.
 - ✓ If you receive a subpoena for the “PAS Coordinator” assign it to Officer Cang. If he is unavailable, you can assign it to Officer Wolfe or Sgt. Felker.
 - ✓ If you receive a subpoena for the “DRE” assign to the officer who took the report.
 - ✓ If you receive a subpoena for “Gang Expert” assign it to the Street Crimes Sergeant. Put a note on the subpoena for the sergeant to assign it to one of the detectives. Once you receive the subpoena back just change the name.

- ✓ If you receive a subpoena for the Dispatcher or 911 Call Taker look-up the case number and click on the incident. The badge number under “CT” is the call taker # and the badge number under “Disp” is the dispatcher. Find out whom that badge number corresponds to and assign it to that person. Once you’ve entered the subpoena do the following:
 - Send the dispatcher an e-mail with the court information
 - Call dispatch to find out when she/he is next scheduled to work. If she/he comes in before the court date then just put it in her mailbox in dispatch. If she/he does not come in before her court date then you will need to call home. She/he will then tell you if it is okay to put in her mailbox in dispatch.
 - Sign the back of the subpoena because you have served her/him and follow the instructions under “Served Subpoenas”.

The following pages are examples of the different kind of subpoenas you will see for the officers.

TRAFFIC COURT

ATTORNEY OR PARTY WITHOUT AN ATTORNEY (Name and Address) (Telephone)		FOR COURT USE ONLY Redwood City Police Department
ATTORNEY FOR (Name) SUPERIOR COURT OF CALIFORNIA - COUNTY OF SAN MATEO TRAFFIC DIVISION 500 County Center Redwood City, CA 94063		
Title of Case: [REDACTED]		
SUBPOENA (CRIMINAL OR JUVENILE) ☐ DUCES TECUM		
		CASE NUMBER: [REDACTED] Citation Number: [REDACTED]

THE PEOPLE OF THE STATE OF CALIFORNIA, TO (NAME): OSCAR POVEDA 384

1. **YOU ARE ORDERED TO APPEAR AS A WITNESS** in this action at the date, time, and place shown in the box below **UNLESS** you make a special arrangement with the person named in item 3:

a. Date: **5/3/2017** Time: **1:30 PM** Division: **Southern Traffic Division** Courtroom: **D**
 b. Address: **500 County Center, Redwood City, CA 94063**

2. AND YOU ARE:

- a. ☒ ordered to appear in person.
- b. ☐ not required to appear in person if you produce the records described in the accompanying affidavit and a completed declaration of custodian of records in compliance with Evidence Code sections 1560, 1561, 1562, and 1271. (1) Place a copy of the records in an envelope (or other wrapper). Enclose your original declaration with the records. Seal them. (2) Attach a copy of this subpoena to the envelope or write on the envelope the case name and number, your name and date, time and place from item 1 (the box above). (3) Place this first envelope in an outer envelope, seal it, and mail it to the clerk of the court at the address in item 1. (4) Mail a copy of your declaration to the attorney or party shown at the top of this form.
- c. ☐ ordered to appear in person and to produce the records described in the accompanying affidavit. The **personal attendance** of the custodian or other qualified witness and the production of the original records is **required** by this subpoena. The procedure authorized by subdivision (b) of section 1560, and sections 1561 and 1562, of the Evidence Code will not be deemed sufficient compliance with **this subpoena**.
- d. ☐ ordered to make the original business records described in the accompanying affidavit available for inspection at your business address by the attorney's representative and to permit copying at your business address under reasonable conditions during normal business hours.

3. **IF YOU HAVE ANY QUESTIONS ABOUT THE TIME OR DATE FOR YOU TO APPEAR, OR IF YOU WANT TO BE CERTAIN THAT YOUR PRESENCE IS REQUIRED, CONTACT THE FOLLOWING PERSON BEFORE THE DATE ON WHICH YOU ARE TO APPEAR:**

a. Name: Court Trial Clerk b. Telephone number: 1-650-261-5013

4 **Witness fees:** You may be entitled to witness fees, mileage, or both, in the discretion of the court. Contact the person named in item 3 **AFTER** your appearance.

DISOBEDIENCE OF THIS SUBPOENA MAY BE PUNISHED BY A FINE, IMPRISONMENT, OR BOTH. A WARRANT MAY BE ISSUED FOR YOUR ARREST IF YOU FAIL TO APPEAR.



Date: 12/7/2016

RECEIVED

DEC 09 2016

REDWOOD CITY POLICE

MADELINE MASTERSON
 (SIGNATURE OF PERSON ISSUING SUBPOENA)

MADELINE MASTERSON
 Deputy Court Clerk

TR-15 Rev. Jun. 2016

SUBPOENA
 (CRIMINAL OR JUVENILE)

ORIGINAL

SHORT TITLE:	CASE NUMBER:
--------------	--------------

PROOF OF SERVICE OF SUBPOENA

1. I served this ☒ Subpoena ☐ Subpoena Duces tecum and supporting affidavit by personally delivering a copy to the person served as follows:
- a. Person served (name): *POVEDA*
- b. Address where served: *REDA*
- c. Date of delivery *12/14/16*
- d. Time of delivery *11:15*
2. I received this subpoena for service on (date):
3. ☐ NON-SERVICE RETURN OF SUBPOENA
- a. ☐ After due search, careful inquiry, and diligent attempts at the dwelling house or usual place of abode or usual place of business. I have been unable to make personal delivery of this ☐ Subpoena
- ☐ Duces tecum in this county on the following persons (specify):
- b. Reason:
- (1.) ☐ Unknown at address. (4.) ☐ Out-of-county address.
- (2.) ☐ Moved, forwarding address unknown (5.) ☐ Unable to serve by hearing date.
- (3.) ☐ No such address (6.) ☐ Other reasons (explanation required).
4. Person serving:
- a. ☐ Not a registered California process server
- b. ☐ California sheriff, marshal, or constable.
- c. ☐ Registered California process server.
- d. ☐ Employee or independent contractor of a registered California process server.
- e. ☐ Exempt from registration under Bus. & Prof. Code section 2235.50(b).
- f. ☐ Name, address, and telephone number and, if applicable country of registration and number.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

(For California sheriff, marshal or constable use only)
I certify that the foregoing is true and correct.

Date:

Date:

(SIGNATURE)

12/14/16 SFC 301

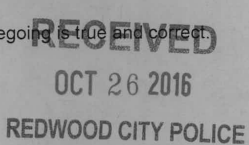
(SIGNATURE)

TRAFFIC-TRIAL BY WRITTEN DECLARATION

TR-210	
NAME OF COURT: Superior Court of California, County of San Mateo STREET ADDRESS: MAILING ADDRESS: 500 County Center CITY AND ZIP CODE: Redwood City, CA 94063 BRANCH NAME: Traffic Division	
PEOPLE OF THE STATE OF CALIFORNIA vs. DEFENDANT: [REDACTED]	
NOTICE AND INSTRUCTIONS TO ARRESTING OFFICER VEHICLE CODE INFRACTION (Trial by Written Declaration—Vehicle Code, § 40902)	
The defendant has elected a trial by written declaration.	CITATION NUMBER: [REDACTED]
1. a. ☐ A copy of the citation is attached. OR b. ☐ (1) Agency: Redwood City Police Department (2) Officer name & I.D. number: CHRIS RASMUSSEN 305 (3) Citation number: [REDACTED] (4) Citation date:	CASE NUMBER: [REDACTED]
2. Return date: 11/21/2016	
3. INSTRUCTIONS TO ARRESTING OFFICER: Complete, date, and sign an officer's declaration, attach it to this notice, and file it with the court by the return date (see item 2 above).	
4. File with or mail to the Clerk of the (specify):	Court at (mailing address): Traffic Division 500 County Center Redwood City, CA 94063
5. For information, call the court clerk's office at (telephone no.): (650) 261-5013	
6. Number of pages attached: _____	
Date: 10/26/2016	Clerk, by Janet Gomez _____, Deputy

CLERK'S CERTIFICATE OF MAILING

1. I am not a party to this action. 2. I served the <i>Notice and Instructions to Arresting Officer</i> by enclosing a copy in an envelope addressed to (specify agency name and address): and caused the envelope to be deposited with the United States Postal Service with first-class postage fully prepaid at (city): Redwood City, California on (date): 10/26/2016	3. I certify that the foregoing is true and correct.
--	--



Date: 10/26/2016	Clerk, by Janet Gomez _____, Deputy
------------------	-------------------------------------

NOTICE AND INSTRUCTIONS TO ARRESTING OFFICER
 (Trial by Written Declaration—Traffic)

Form Adopted by the Judicial Council of California TR-210 (New January 1, 1999)

Vehicle Code, § 40902

NAME OF COURT: Superior Court of California, County of San Mateo STREET ADDRESS: MAILING ADDRESS: 500 County Center CITY AND ZIP CODE: Redwood City, CA 94063 BRANCH NAME: Traffic Division TELEPHONE:		
PEOPLE OF THE STATE OF CALIFORNIA vs. DEFENDANT: [REDACTED]		
OFFICER'S DECLARATION (Trial by Written Declaration—Vehicle Code, § 40902)		
RETURN DATE: 11/21/2016	ARRESTING/CITING OFFICER NAME/ID NO.: CHRIS RASMUSSEN 305	CITATION NUMBER/DATE ISSUED: [REDACTED]
AGENCY NAME: REDWOOD CITY POLICE DEPARTMENT OFFICE (IF ANY):		CASE NUMBER: [REDACTED]

INSTRUCTIONS: The defendant in the case listed above has opted for trial by written declaration pursuant to Vehicle Code section 40902. The officer named above shall check all statements that apply, date, sign, and complete and return this form to the court named above by the return date.

1. **OFFICER'S DECLARATION:** Except as expressly stated below, I have personal knowledge of the facts stated herein. The events occurred in the County of (specify): _____ at about the date, time, and location stated in the citation.
 - a. ☐ At the time of the citation I was a peace officer on-duty ☐ for the exclusive or main purpose of traffic enforcement ☐ not for the exclusive or main purpose of traffic enforcement, and I ☐ was ☐ was not wearing a uniform as required by the Vehicle Code section 40800. Any vehicle used by me complied with Vehicle Code section 40800.
 - b. ☐ The offense(s) were not committed in my presence.
 - c. ☐ Any statement(s) made by the defendant were voluntary, recorded ☐ verbatim ☐ not verbatim and is/are reasonably complete and accurate in substance.
 - d. ☐ Safety is an element of the violation alleged. In my opinion, the defendant's operation of the vehicle was unsafe.
 - e. ☐ Any equipment used by me to gather evidence in support of this violation was properly maintained, in good working order, and I have been trained in its use.
 - f. ☐ Any traffic sign, signal, or device mentioned was official and properly located, maintained, in good working order, and clearly visible to a driver of a vehicle controlled, governed, or affected by such sign, signal, or device.
 - g. ☐ Any diagram(s) submitted is/are not exact or to scale, but is/are reasonably complete, accurate, and fairly depict(s) the location, situation, and events described.
 - h. ☐ Speed supported by the patrol vehicle's speedometer was a significant factor. Pursuant to department policy, the patrol vehicle used in connection with this citation was officially calibrated on (date): _____
The result was (specify): _____
The calibration was considered by me in determining defendant's speed.
 - i. ☐ Defendant was identified by Driver's License ☐ or other (specify): _____
2. **THE METHOD(S) USED TO DETERMINE THE SPEED OF THE INVOLVED VEHICLE WAS/WERE:**
 - a. ☐ Odometer
 - b. ☐ Visual estimation
 - c. ☐ Pacing
 - d. ☐ Radar (see items 4, 5, 6, below)
 - e. ☐ Laser
 - f. ☐ Aircraft
 - g. ☐ Other (specify): _____
3. ☐ Engineering and traffic survey (ETS) not required per Vehicle Code section 40802, subdivision (b).
4. ☐ ETS completed within five (5) years prior to date of alleged violation.
 - a. ☐ ETS attached.
 - b. ☐ ETS on file with the court.
5. ☐ ETS completed within five (5) and seven (7) years prior to date of alleged violation.
 - a. ☐ ETS attached.

(Continued on reverse)

PEOPLE v. DEFENDANT (Name):

CASE NUMBER:

5. b. ☐ ETS on file with the court.
- c. ☐ Arresting/citing officer has successfully completed a radar operator course of not less than 24 hours approved and certified by the Commission on Peace Officer Standards and Training (POST).
- d. ☐ Laser or other electronic device was used to measure speed. Arresting/citing officer successfully completed an additional training course of not less than two hours approved and certified by POST.
- e. ☐ The speed measuring device used to measure the speed of defendant (Serial No: _____) meets or exceeds the minimum operational standards of the National Highway Traffic Safety Administration (NHTSA) and was last calibrated on (date): _____ by an independent certified laser/radar repair and testing/calibration facility.
- f. ☐ Equipment accuracy check conducted on (date): _____ at (time): _____ and again on (date): _____ at (time): _____
6. ☐ ETS completed within seven (7) and ten (10) years prior to the date of the alleged violation.
- a. ☐ A registered engineer has evaluated the section of the highway in question and has determined that no significant changes in roadway or traffic conditions have occurred.
- b. ☐ All of the elements marked under item 5, above, which are applicable.

7. **FACTS AND CIRCUMSTANCES** (Type or print only. State what happened):

☐ Continued on attachment.

8. **OTHER EVIDENCE AND STATEMENTS** (Explain any other evidence and statements):

☐ Continued on attachment.

9. **DIAGRAM(S)** (specify):

☐ Attached.

10. Number of pages attached: _____

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

.....
(TYPE OR PRINT NAME)



(SIGNATURE OF OFFICER)

ID Number: _____

Agency NCIC Number: _____

OUTSIDE COUNTY CRIMINAL SUBPOENAS

Nov 28 2016 03:08PM Santa Clara DA Office 4082998440

page 2

WITNESS NOTIFICATION AND RESPONSE

~~NOTE: This Officer Notification is for a Case Associated With Another DA~~

Witness: Kimber Badge 438, Redwood City Police Department, 1301 Maple Street, Redwood City, CA 94063
Associated Agency: San Jose Police Department Unit: Sexual Assault

Defendant(s):

Docket:

Associated Agency Case No:

Charges: PC 311.11(A)

Hearing: Preliminary Hearing

Date: December 15, 2016

Time: 8:30 AM

Address: 190 West Hedding Street, San Jose, CA 95110

Department 33

DA: Quinn Nichols

DA Case Number:

Email: QNichols@da.sccgov.org

Phone Number: (408)808-3764

Contact Person: Quinn Nichols

Contact Email: QNichols@da.sccgov.org

☒ Officer will appear.

☐ Officer will not appear because:

☐ Return to Duty Date: Date Notice Sent:

Officer's Signature: Date:

~~Use your department's approved time off procedure to make any changes.~~

Circle Days Off: M T W T F Scheduled Time Off:

~~Put your contact number in case the DA needs to call you regarding this case.~~

Cell: Pager: Home:

Supervisor's Signature: *D. Smith #288* Date: *12-5-16*

Please return the top half of this form to the District Attorney's Office.

Dated: November 28, 2016

SERVED

50431111

WITNESS COPY

Associated Agency: San Jose Police Department Unit: Sexual Assault I/O: Kimber Badge: 3612 Witness: KIMBER BADGE 438, REDWOOD CITY POLICE DEPARTMENT, 1301 MAPLE STREET, REDWOOD CITY, CA 94063 Defendant(s): Docket: Associated Agency Case No: Charges: PC 311.11(A) Hearing: Preliminary Hearing Date: December 15, 2016 Time: 8:30 AM Address: 190 West Hedding Street, San Jose, CA 95110 Department 33	Special Instructions: DA: Quinn Nichols Email: QNichols@da.sccgov.org DA Case Number: CONTACT: Quinn Nichols PHONE: (408)808-3764 Contact Email: QNichols@da.sccgov.org Dated: November 28, 2016
--	--

50431111

YOU MUST IMMEDIATELY CALL THE CONTACT PERSON AT THE ABOVE NUMBER

ORDER TO ATTEND COURT OR PROVIDE DOCUMENTS (SUBPOENA/SUBPOENA DUCES TECUM)

CR-125/JV-525			
ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): M. Gabriela Guraiib #2664450 Law Offices of M. Gabriela Guraiib 600 Allerton St., Suite 201 Redwood City, CA 94063 TELEPHONE NO.: 650.743.5321 FAX NO. (Optional): E-MAIL ADDRESS (Optional): mgguraiib@gmail.com ATTORNEY FOR (Name): [REDACTED]	FOR COURT USE ONLY		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN MATEO STREET ADDRESS: 400 County Center MAILING ADDRESS: CITY AND ZIP CODE: Redwood City, CA 94063 BRANCH NAME:			
CASE NAME: People v. [REDACTED]			
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%; text-align: center;"> ORDER TO ATTEND COURT OR PROVIDE DOCUMENTS: Subpoena/Subpoena Duces Tecum </td> <td style="width: 40%; padding: 5px;"> CASE NUMBER: </td> </tr> </table>		ORDER TO ATTEND COURT OR PROVIDE DOCUMENTS: Subpoena/Subpoena Duces Tecum	CASE NUMBER:
ORDER TO ATTEND COURT OR PROVIDE DOCUMENTS: Subpoena/Subpoena Duces Tecum	CASE NUMBER: 		

You must attend court or provide to the court the documents listed below. Follow the orders checked in item 2 below. If you do not, the judge can fine you, send you to jail, or issue a warrant for your arrest.

1. To: (name or business) Redwood City Police Department Officer W. Wolfe
2. You must follow the court order(s) checked below:
 - a. ☒ Attend the hearing.
 - b. ☐ Attend the hearing and bring all items checked in c. below.
 - c. ☐ Provide a copy of these items to the court (Do not use this form to obtain Juvenile Court records):
 - (1) _____
 - (2) _____
 - (3) _____
 - ☐ If this box is checked, provide all items listed on the attached sheet labeled "Provide These Items."
 - d. ☐ If someone else is responsible for maintaining the items checked in c. above, that person (the Custodian of Records) must also attend the hearing.
 - e. ☐ If this box is checked and you deliver all items listed above to the court **within 5 days of service of this order**, you do not have to attend court if you follow the instructions in item 5.

RECEIVED
 SEP 23 2016
 REDWOOD CITY POLICE

3. Court Hearing Date:		The court hearing will be at (name and address of court):	
Date: <u>9/30/16</u>	Time: <u>9:00 AM</u>	<u>400 COUNTY CENTER</u>	
Dept.: <u>PH CALENDR</u>	Rm.: <u>TBD</u>	<u>REDWOOD CITY, CA 94063</u>	
Call the person listed in item 4 below to make sure the hearing date has not changed. If you cannot go to court on this date, you must get permission from the person in item 4. You may be entitled to witness fees, mileage, or both, in the discretion of the court. Ask the person in item 4 after your appearance.			

4. The person who has required you to attend court or provide documents is:

Name: M. Gabriela Guraiib Phone No.: 650.743.5321

Address: 600 Allerton St., Suite 201

Number, Street, Apt. No.

Redwood City, CA 94063

City

State

Zip

Date: 9/23/16 Signature:

Name and Title

FOR COURT USE ONLY

CASE NAME: People v. [REDACTED]	CASE NUMBER: [REDACTED]
------------------------------------	----------------------------

- 5 a. Put all items checked in item 2c and your completed *Declaration of Custodian of Records* form in an envelope. (You can ask the person in item 4 where to get this form.) Attach a copy of page 1 of this order to the envelope.
- b. Put the envelope inside another envelope. Then, attach a copy of page 1 of this form to the outer envelope or write this information on the outer envelope:
- (1) Case name
 - (2) Case number
 - (3) Your name
 - (4) Hearing date, time, and department
- c. Seal and mail the envelope to the Court Clerk at the address listed in ☐ item 3 or ☐ The court address in the caption on page 1. You must mail these documents to the court within five days of service of this order.
- d. If you are the Custodian of Records, you must also mail the person in item 4 a copy of your completed *Declaration of Custodian of Records*. Do not include a copy of the documents.

— The server fills out the section below. —

Proof of Service of CR-125/JV-525

1. I personally served a copy of this subpoena on:
- Date: _____ Time: _____ ☐ a.m. ☐ p.m.
- Name of the person served: _____
- At this address: _____
- After I served this person, I mailed or delivered a copy of this Proof of Service to the person in item 4 on (date): _____
- Mailed from (city): _____
2. I received this order for service on (date): _____ and was not able to serve (name of person) _____ after (number of attempts) _____ attempts because:
- a. ☐ The person is not known at this address.
 - b. ☐ The person moved and the forwarding address is not known.
 - c. ☐ There is no such address.
 - d. ☐ The address is in a different county.
 - e. ☐ I was not able to serve by the hearing date.
 - f. ☐ Other (explain): _____
3. Server's name: _____ Phone no. _____
4. The server (check one)
- a. ☐ is a registered process server.
 - b. ☐ is not a registered process server.
 - c. ☐ is a sheriff, marshal, or constable.
 - d. ☐ works for a registered process server.
 - e. ☐ is exempt from registration under Business and Professional Code section 22350(b).
5. Server's address: _____
- If server is a registered process server:
- County of registration: _____ Registration no.: _____

I declare under penalty of perjury under the laws of the State of California that I am at least 18 years old and not involved in this case and the information above is true and correct.

Date: _____

▶ _____ ▶ _____

TYPE OR PRINT NAME OF SERVER SIGNATURE OF SERVER

B



LICENSING OPERATIONS DIVISION

SUBPOENA

Department of Motor Vehicles
Driver Safety District Office
1377 Fell Street, 2nd Floor
San Francisco, CA 94117-2296
Telephone: (415) 557-1170 Fax: (415) 557-7875

In the Matter of:

[Redacted]

Driver License No.: [Redacted]
Bk. or Arrest No.: [Redacted]
Citation or Accident Date: [Redacted]
Administrative Per Se

557-7375

Respondent

THE PEOPLE OF THE STATE OF CALIFORNIA SEND GREETINGS TO:

Redwood City Pd, Officer Cydzik #439
Attn: Subpoena Clerk
1301 Maple Street
Redwood City, Ca 94063

1. **YOU ARE COMMANDED**, all and singular business and excuses set aside, to appear ~~in person~~ or by telephone and/or produce documents, if instructed below, and testify in the above-entitled proceedings now pending before a Hearing Officer of the Department of Motor Vehicles at the date, time and telephone number or address, if entered, shown in the box below.

Day: Tuesday, Date: November 21, 2017	Time: 11:15 AM
Telephone Number:	Room: Via Telephone
Address: San Francisco Driver Safety 1377 Fell Street, 2nd Floor San Francisco, Ca 94117-2296	

2. **AND YOU ARE ORDERED TO BE AVAILABLE FOR A CALL BY TELEPHONE AT THIS NUMBER: (650) 780-7100 AT THE TIME AND DATE INDICATED ABOVE.**

DISOBEDIENCE OF THIS SUBPOENA MAY BE PUNISHED AS CONTEMPT

WARNING: Unauthorized use of this form or its contents may result in civil penalties and/or criminal prosecution.

3. IF YOU HAVE ANY QUESTIONS ABOUT THE TIME OR DATE FOR YOU TO TESTIFY, contact the office prior to the date on which you are to testify:
Office: San Francisco Driver Safety Telephone Number: (415) 557-7437
4. The scope of this subpoena and/or subpoena duces tecum, shall be limited to the production of documents and/or the attendance of a witness at a Department of Motor Vehicles hearing. Use of this subpoena for any purpose not addressed in §14104.5 of the Vehicle Code, shall be deemed improper and negate the authority of the subpoena.
5. **WITNESS FEES:** You may be entitled to witness fees and mileage actually traveled both ways, as provided by law. Contact the party named in item 3 for payment.



Date Printed: November 2, 2017

RECEIVED

NOV 03 2017

REDWOOD CITY POLICE

WESLEY GOO, DEPUTY DIRECTOR
LICENSING OPERATIONS DIVISION
DEPARTMENT OF MOTOR VEHICLES

Wesley Goo

See reverse or attached for proof of service.

California Relay Telephone Service for the deaf or hearing impaired from TTY Phones: 1-800-735-2929; from Voice Phones: 1-800-735-2922

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Name of Witness: Redwood City Pd, Officer Cydzik #439

Driver License No.: [REDACTED]

PROOF OF SERVICE OF SUBPOENA

PERSONAL SERVICE

1. I served this Subpoena by personally delivering a copy to the person served as follows:

- a. Person served (*name*):
- b. Address where served:
- c. Date of service:
- d. Time of service:

2. I received this Subpoena for service on (*date*):

3. Person serving:

- a. ☐ Authorized employee of the Department of Motor Vehicles

Printed Name of Server:

Title:

- b. ☐ Other (*name, address, and telephone number and, if applicable, county of registration and number*):

4. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

Signature of Server **X** _____

MAIL SERVICE

A. I delivered this Subpoena by mail as follows:

B. Addressee's name: Redwood City Pd, Officer Cydzik #439

C. Address: Attn: Subpoena Clerk
1301 Maple Street
Redwood City, Ca 94063

D. Date of mailing: November 02, 2017

E. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Printed Name of Server: Nicole C.

Title: Motor Vehicle Field Representative

Date: November 02, 2017

Signature of Server **X** _____

California Relay Telephone Service for the deaf or hearing impaired from TDD Phones: 1-800-735-2929; from Voice Phones: 1-800-735-2922
© State of California, Department of Motor Vehicles. All rights reserved.



ENTERING OFFICER SUBPOENAS

- In RIMS click “Records” >Then click “Subpoenas”

The screenshot shows the RIMS Version 23.06.6 interface. The 'Records' menu is open, and 'Subpoenas' is highlighted. The interface includes a top menu bar with options like RIMS, People, Cases, Citations, Vehicles, Database, Property, Records, Offenders, Search, Other, and Help. The main window displays a list of incidents and a table of pending incidents.

Unit/Officer	Inc Type	Location	Status	Inc #	Beats	Timer
C1 #-Poveda			10-8	1		
B1 #-Duddy			10-8	1,2	35	
C2 #-Sheffield	488	Putnam Lexus, 3...	ALL OK	143	2	13
C3 #-Valencia	11-23	Walnut St/Vetera...	CD4	148	3	12
C4 #-Wolfe			10-8	4	3	
K4 #-Wittman			RPT	4	52	
O4-Lee	CODE 5	Carlos Av/Roble A...	ONSCEN	156	4	12
B5* #-Ottersen...		STA	RPT	5	102	
C5 #-Orozco	488	1472 Regent St #...	ONSCEN	139	5	6
C6 #-Karasky	653M	10-62@stn, 753 ...	ONSCEN	149	6	2

- Click on

Add Subpoena

The screenshot shows the Subpoena Log window. It contains a table with columns: Court Date, Time, Name, Defendant, Subpoena #, Reference #, Case #, and Acknowledged?. The table lists 18 subpoenas. At the bottom, there are input fields for Subpoena #, Ref #, and Case #, and buttons for OK, Cancel, Add Subpoena, One Person, All Subs, Pos to Date, and Print.

Court Date	Time	Name	Defendant	Subpoena #	Reference #	Case #	Acknowledged?
6/19/2017	13:30	Bizzarro, Anthony		29552			No
6/21/2017	13:30	Nimau, Shawn		29553			Yes
6/22/2017	13:30	Macias, J		29554			No
6/22/2017	13:30	Karasky, Joe		29555			No
6/29/2017	13:30	Wolfe, W		29496			Yes
6/29/2017	13:30	Poveda, O		29498			Yes
7/6/2017	13:30	Marshall, R		29556			Yes
7/6/2017	13:30	Wolfe, W		29579			Yes
7/6/2017	13:30	Silva, G		29580			Yes
7/10/2017	13:30	Denning, D		29557			Yes
7/11/2017	13:30	Bizzarro, Anthony		29500			No
7/18/2017	13:30	Cukar, Anthony		29584			No
7/18/2017	13:30	Poveda, O		29585			Yes
7/26/2017	13:30	Gonzalez, Adolfo		29558			Yes
7/26/2017	13:30	Rasmussen, C		29559			Yes

- The “Agency Subpoena” window will pop-up

Agency Subpoena

Page 1 | Notes | Attachments | Audit

Details

Subpoena # 29591

Defendant

Court Case

Type

Judge/DA

Date Time

Person Served

Court

Case Ref #

DA Case

DA Phone

Citation

	Date	Time	By
Received			
Entered into RIMS	12/14/2016	15:57	OLAREVAS, VANESSA
Serving Person in Agency			
Acknowledged by Recipient			
Signed by Recipient			
Returned to Issuer			
Recalled and Reason			

Note

Prev OK Oops Delete Clone Print Next

- The cursor automatically appears in the box to the right of “Defendant”, there you will type in the defendant’s name (last, first) then tab over to the next field.
- In “Court Case” type in the defendant’s name (last, first) again and then tab over to the next field.

- In “Type”, start typing the type of subpoena (it will automatically bring up a drop-down menu with a list of subpoena types) make sure the highlighted type is the correct one for your subpoena and tab over to the next field.

Agency Subpoena

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Details

Subpoena # 29591

Defendant DAY, SUN

Court Case DAY, SUN

Type Civil

Judge/DA Criminal

Date DMV

Received Juvenile Court

Entered into RIM Juvenile Traffic

Serving Person Parole Hearing

Acknowledged by Pitchess Motion

Signed by Recipient Traffic

Person Served OLAREVAS, VANESSA

Court

Case Ref #

DA Case

DA Phone

Citation

By

Note

Prev OK Oops Delete Clone Print Next

- In the “Judge/DA” field type the name of the DA and tab over to the next field.
- In “Date” type the court date and tab over.
- In “Time” type the time and tab over.
- In “Person Served” field, start typing the officer’s last name (once you start typing it will automatically bring up a drop-down list with names of the officers that match closest to what you’ve typed) when the name of the officer is highlighted tab over to the next field (this auto-fills the box with the highlighted name)

- In “Court” start typing the court name (it will automatically bring up a drop-down menu with a list of courts) make sure the highlighted name is the correct one for your subpoena and tab over to the next field (this will automatically fill the field with the selected court). If the court is not on this list, select “Other-See Notes” and tab over to the next field (remember to type in the “Note” field what court it is and the address).

Agency Subpoena

Page 1 | Notes | Attachments | Audit

Details

Subpoena # 29591

Defendant DAY, SUN

Court Case DAY, SUN

Type

Judge/DA

Date Time

Person Served

Court s

Case DEPARTMENT OF MOTOR VEHICLE

DA Case HILLCREST CRIMINAL

DA Phone HILLCREST TRAFFIC

Citation NORTHERN MUNI

OTHER - SEE NOTES

SOUTHERN MUNI

SOUTHERN MUNI TRAFFIC

SUPERIOR COURT OF SAN MATEO

	Date	Time	By
Received			
Entered into RIMS	12/14/2016	15:57	OLAREVAS, VANESSA
Serving Person in Agency			
Acknowledged by Recipient			
Signed by Recipient			
Returned to Issuer			
Recalled and Reason			

Note

Prev OK Oops Delete Clone Print Next

- In “Case” field type in our report number (with the dashes).
- In “Ref #” type the court case number (also known as “docket number”) and tab over to the next field.
- In “DA Case” type the DA case # (normally found on out of county subpoenas) and tab over.
- In “DA Phone” Type in the DAs phone number.
- In “Received Date” type the date you received the subpoena, and tab over.

- In “Received Time” type the time you received the subpoena. If you do not know what time you received the subpoena, leave it blank, and tab over to the next field.
- In “Received By” start typing your last name, this should bring up a drop down menu. Select your name from the menu and tab over to the next field.
- Tab over to “Note”:
- Type whether it is for “Jury Trial”; “Prelim Hrg”; etc.
 - If the subpoena requires the officer to bring evidence type in the word “Evidence”
 - Type in any other information you think is necessary.
 - Note: The first 18-20 characters (approximately) will show up on your court list when you print it, so you want to make sure that the first few characters are either “Evidence” (if evidence is requested); “Prelim Hrg”; Continued; etc. Example below:

The screenshot shows a software window titled "Subpoena". It contains a form with the following sections:

- Details:**
 - Subpoena #: 3444
 - Court Case: [Redacted]
 - Judge/DDA: [Redacted]
 - Date: 03/13/2009
 - Time: 08:15
 - Person Served: CLEMENTS, J
 - Court: SOUTHERN MUNI
 - Case: [Redacted]
 - Ref #: [Redacted]
 - DA Case: [Redacted]
- Received:**
 - Date: 03/04/2009
 - Time: [Redacted]
 - By: [Redacted]
- Entered into RIMS:**
 - Date: 03/04/2009
 - Time: 14:01
 - By: [Redacted]
- Serving Person in Agency:** [Redacted]
- Acknowledged by Recipient:** [Redacted]
- Signed by Recipient:** [Redacted]
- Returned to Issuer:** [Redacted]
- Recalled and Reason:** [Redacted]
- Note:** BRING EVIDENCE

At the bottom of the window are buttons for "Prev", "OK", "Cancel", "Delete", "Print", and "Next".

- Once you have reviewed your entry and verified all the entered information is correct and nothing is missing you can go ahead and click “OK”.
- Your screen should disappear and you should be back where you started “Subpoena Log”. You successfully entered a subpoena!

MULTIPLE SUBPOENAS FOR THE SAME DEFENDANT- “CLONING”

- If you have multiple subpoenas for the same defendant but different officers, you can “clone” the subpoena which creates a duplicate copy of your entry (minus the officer’s name and the “Court Time” portion)
- Go to original subpoena entry
- Hit the “CLONE” button
- Enter new Person Served, new date & time (if applicable), and “received” date, time and name.

TIP:

**FOR A FASTER PROCESS, IT HELPS IF YOU SEPARATE THE CIVIL
SUBPOENAS FROM THE OFFICER SUBPOENAS.**

TRAFFIC SUBPOENAS

- Find the citation number and issuing date on the subpoena, (you will find it towards the top on the right side) and find the citation in RIMS (if it’s a “Hard copy” citation not electronic)
- Go to the attachments tab of the citation and print out the citation and any notices of corrections, supplements etc.
- Stamp it with the controlled document stamp.
- You will be printing and attaching copies of the citations to the back of the Traffic Subpoena “Officer Copy”.

CIVIL/PERSONAL APPEARANCE SUBPOENAS FOR OFFICERS

- We usually get these subpoenas delivered at the Front Desk or by mail. Make sure you get a check of \$275.00 dollars (payable to RCPD) for each officer.
 - When receiving the subpoena(s) at the front counter, Review the subpoena (if there are any issues address them with the person serving you with the subpoenas). They will normally ask for your name, badge number and possibly your title.
 - Again, review the subpoena; look for the officer's/Disp name and make sure it is one of our employee's. If it is for an officer/Disp that does not work for RCPD immediately, return it to the server.
 - Make sure the subpoena has been signed by the lawyer/deposition officer.
 - Stamp each subpoena with the "Date Stamp" (you should have two copies of each subpoena; the one we get back with the proof of service and another one for the officer to keep). The "OFCR/WITNESS COPY" stamp goes only on the copy for the officer

The Following pages have an example of the subpoena you will see for the officers/dispatchers:

AW

THE PEOPLE OF THE STATE OF CALIFORNIA, TO (name, address, and telephone number of deponent, if known):
Officer [REDACTED], Redwood City PD, 1301 Maple Street, Redwood City, CA 94063

Date: June 22, 2016 Time: 9:00 a.m. Address: 2055 Junction Avenue, Suite 200, San Jose, CA 95131

- ☐
- Continued on Attachment 4.

6. At the deposition, you will be asked questions under oath. Questions and answers are recorded stenographically at the deposition; later they are transcribed for possible use at trial. You may read the written record and change any incorrect answers before you sign the deposition. You are entitled to receive witness fees and mileage actually traveled both ways. The money must be paid, at the option of the party giving notice of the deposition, either with service of this subpoena or at the time of the deposition. Unless the court orders or you agree otherwise, if you are being deposed as an individual, the deposition must take place within 75 miles of your residence or within 150 miles of your residence if the deposition will be taken within the county of the court where the action is pending. The location of the deposition for all deponents is governed by Code of Civil Procedure section 2025.250.

Date issued: June 8, 2015

Colin H. Jewell, Esq.

Attorney for Defendant 2000 Senter Road, LLC

(TYPE OR PRINT NAME)

DEPOSITION SUBPOENA FOR PERSONAL APPEARANCE
AND PRODUCTION OF DOCUMENTS AND THINGS

(TITLE)

Page 1 of 2

Code of Civil Procedure §§ 2020.510,
2025.220, 2025.230, 2025.250, 2025.020;
Government Code, § 68097.1
www.courtinfo.ca.gov

REDWOOD CITY POLICE

PLAINTIFF/PETITIONER: [REDACTED]	CASE NUMBER: [REDACTED]
DEFENDANT/RESPONDENT: [REDACTED]	

**PROOF OF SERVICE OF DEPOSITION SUBPOENA FOR PERSONAL APPEARANCE
AND PRODUCTION OF DOCUMENTS AND THINGS**

1. I served this *Deposition Subpoena for Personal Appearance and Production of Documents and Things* by personally delivering a copy to the person served as follows:

a. Person served (name): [REDACTED]

b. Address where served: [REDACTED]

c. Date of delivery: 06/17/14

d. Time of delivery:

e. Witness fees and mileage both ways (check one): \$ 275

- (1) ☒ were paid. Amount: \$
- (2) ☐ were not paid.
- (3) ☐ were tendered to the witness's
public entity employer as
required by Government Code
section 68097.2. The amount
tendered was (specify): \$

f. Fee for service: \$

2. I received this subpoena for service on (date):

3. Person serving:

- a. ☐ Not a registered California process server
- b. ☐ California sheriff or marshal
- c. ☐ Registered California process server
- d. ☐ Employee or independent contractor of a registered California process server
- e. ☐ Exempt from registration under Business and Professions Code section 22350(b)
- f. ☐ Registered professional photocopy
- g. ☐ Exempt from registration under Business and Professions Code section 22451
- h. Name, address, telephone number, and, if applicable, county of registration and number:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 06/17/14

[Signature] 407
(SIGNATURE)

(For California sheriff or marshal use only)
I certify that the foregoing is true and correct.

Date:

[Signature]
(SIGNATURE)

ENTERING CIVIL SUBPOENAS INVOLVING OFFICERS

In RIMS, click “Records”

- Then click “Subpoenas”
- Click “Add Subpoena”

Example below:

The screenshot shows the 'Subpoena' form in the RIMS system. The 'Person Served' field is highlighted with a red arrow, indicating where the user should start typing the officer's last name. The form includes fields for Subpoena #, Court Case, Judge/DDA, Date, Time, DA Case, Court, Case, Ref #, Received, Entered into RIMS, Serving Person in Agency, Acknowledged by Recipient, Signed by Recipient, Returned to Issuer, Recalled and Reason, and a Note field. The 'Entered into RIMS' field is pre-filled with '10/16/2008'. The 'Subpoena #' field contains '2244'. The form has buttons for 'Prev', 'OK', 'Cancel', 'Delete', 'Print', and 'Next'.

- Start typing the officer’s last name in the “Person Served” field (once you start typing it will automatically bring up a drop-down list with names of the officers that match closest to what you’ve typed) when the name of the officer is highlighted tab over to the next field (this auto-fills the box with the highlighted name)
- In “Court Case” type in the defendant’s name (last, first) then tab over to the next field.
- In “Court” start typing the court name (it will automatically bring up a drop-down menu with a list of courts) make sure the highlighted name is the

correct one for your subpoena and tab over to the next field (this will automatically fill the field with the selected court). If the court is not on this list select “Other-See Notes” and tab over to the next field (remember to type in the “Note” field what court it is and the address).

- In “Judge/DDA”, type the name and phone number of the attorney that issued the subpoena and tab over to the next field.
- In “Case”, type our report number with the dashes then tab over to the next field.
- In “Ref #” type the court case number (also known as “docket number”), and tab over to the next field.
- In “Date” type the court date and tab over.
- In “Time” type the time and tab over.
- Skip “DA Case” field
- In “Received Date” type the date you received the subpoena, and tab over.
- In “Received Time” type the time you received the subpoena. If you do not know what time you received the subpoena; leave it blank; tab over to the next field.
- In “Received By” start typing your last name, this should bring up a drop down menu. Select your name from the menu and tab over to the next field.
- Tab over to the “Note” field:
 - Type in the words “Defense Attorney” and/or any other information you think is necessary.
 - Note: The first 18-20 characters (approximately) will show up on your court list when you print it, so you want to make sure that the

first few characters are either "Defense Attorney"; "Evidence" (if evidence is requested); "Prelim Hrg"; etc.

Examples below:

Agency Subpoena

Page 1 | Notes | Attachments | Audit

Details

Subpoena # 29524

Person Served [Redacted]

Defendant [Redacted]

Court OTHER - SEE NOTES

Court Case [Redacted]

Case [Redacted] Ref # [Redacted]

Type Civil

DA Case [Redacted]

Judge/DA BRIAN FINN

DA Phone 650-871-9544

Date 12/05/2016 Time 08:45

Citation [Redacted]

	Date	Time	By
Received	11/10/2016	17:00	OLAREVAS, VANESSA
Entered into RIMS	11/10/2016	18:11	OLAREVAS, VANESSA
Serving Person in Agency			
Acknowledged by Recipient			
Signed by Recipient			
Returned to Issuer			
Recalled and Reason			

Note 191 N 1ST ST SAN JOSE DEPT 7

Prev OK Cancel Delete Clone Print Next

Subpoena

Details

Subpoena # 1829

Person Served [Redacted]

Court Case [Redacted]

Court SUPERIOR COURT OF SAN MATEO

Judge/DDA DEFENSE ATTORNEY SAMUEL K FEI

Case [Redacted] Ref # CIV464944

Date 09/10/2008 Time 14:00

DA Case [Redacted]

	Date	Time	By
Received	08/29/2008	16:30	[Redacted]
Entered into RIMS	08/29/2008	16:35	[Redacted]
Serving Person in Agency			
Acknowledged by Recipient	09/09/2008	16:10	
Signed by Recipient			
Returned to Issuer			
Recalled and Reason			

Note 711 VAN NESS AV, SUITE 305
SAN FRANCISCO, CA 94102

Prev OK Cancel Delete Print Next

- Now click “OK”
- Your screen should disappear and you should be back where you started “Subpoena Log”. Your subpoena has now been entered successfully!
- Scan and attach the subpoena
- Now make a copy of the original subpoena and distribute as follows:
 - Original subpoena for the officer.
 - One copy for Records (for your file Subpoena Clerk).

If you have multiple subpoenas for the same defendant, follow the “MULTIPLE SUBPOENAS FOR THE SAME DEFENDANT- “CLONING”” instructions.

CRIMINAL SUBPOENAS FOR OFFICERS

- We usually get these subpoenas delivered at the Front Desk, via fax, or by mail. You do not need a check for this type of subpoena.
- When taking subpoenas at the Front Desk:
 - Take the subpoena and review it
 - Check the name of the officer and make sure it is one of our officers. If it is an officer with another agency, return it to the Attorney or the person who delivered the subpoena.
 - They will ask for your name; badge number; and possibly your title
 - Make sure the subpoena has been signed
- Stamp each subpoena with the “Date Stamp” (you should have two copies of each subpoena; the one we get back with the proof of service and another one for the officer to keep). The “OFCR/WITNESS COPY” stamp goes only on the copy for the officer

**THE FOLLOWING PAGE IS AN EXAMPLE OF A SUBPOENA YOU WILL SEE FOR THE
OFFICERS/DISPATCHERS:**

If filled in, full name of State court clerk or clerk's assistant: Jonathan D. McNeagall 508212354 1640 Laurel Street San Carlos, CA 94070 Telephone: 650-594-4200 Fax: [redacted] E-mail address (optional): [redacted] Attorney for (name): [redacted]		FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF San Mateo COURT ADDRESS: 400 County Center MAILING ADDRESS: Redwood City, CA 94063 (if different)		
CASE NAME: [redacted]		
ORDER TO ATTEND COURT OR PROVIDE DOCUMENTS: Subpoena/Subpoena Duces Tecum		CASE NUMBER: [redacted]

You must attend court or provide to the court the documents listed below. Follow the orders checked in item 2 below. If you do not, the judge can fine you, send you to jail, or issue a warrant for your arrest.

- To: (name or business) OFC. [redacted] (RWCPD) (BADGE [redacted])
- You must follow the court order(s) checked below:
 - ☒ Attend the hearing.
 - ☐ Attend the hearing and bring all items checked in c. below.
 - ☐ Provide a copy of these items to the court (Do not use this form to obtain Juvenile Court records):
 - _____
 - _____
 - _____
 - ☐ If this box is checked, provide all items listed on the attached sheet entitled "Provide These Items."
 - ☐ If someone else is responsible for maintaining the items checked in c. above, that person (the Custodian of Records) must also attend the hearing.
 - ☐ If this box is checked and you deliver all items listed above to the court within 5 days of service of this order, you do not have to attend court if you follow the instructions in item 5.

3. Court Hearing Date: Date: <u>4/15/09</u> Time: <u>8:30 am</u> Dept.: _____ File #: <u>24</u>		The court hearing will be at (name and address of court): <u>400 County Center, Redwood City CA</u>
Call the person listed in item 4 below to make sure the hearing date has not changed. If you cannot go to court on this date, you must get permission from the person in item 4. You may be entitled to witness fees, mileage, or both, at the discretion of the court. Ask the person in item 4 after your appointment.		

4. The person who has required you to attend court or provide documents is: Name: <u>Jonathan McNeagall</u> Phone No.: <u>650-594-4200</u> Address: <u>1640 Laurel Street</u> <u>Number, Street Apt. No.</u> <u>San Carlos, CA 94070</u> City: _____		FOR COURT USE ONLY
Date: <u>4/15/09</u>	Signature:  Name and Title: _____	

After entering the subpoena, the entry should look like the following example:

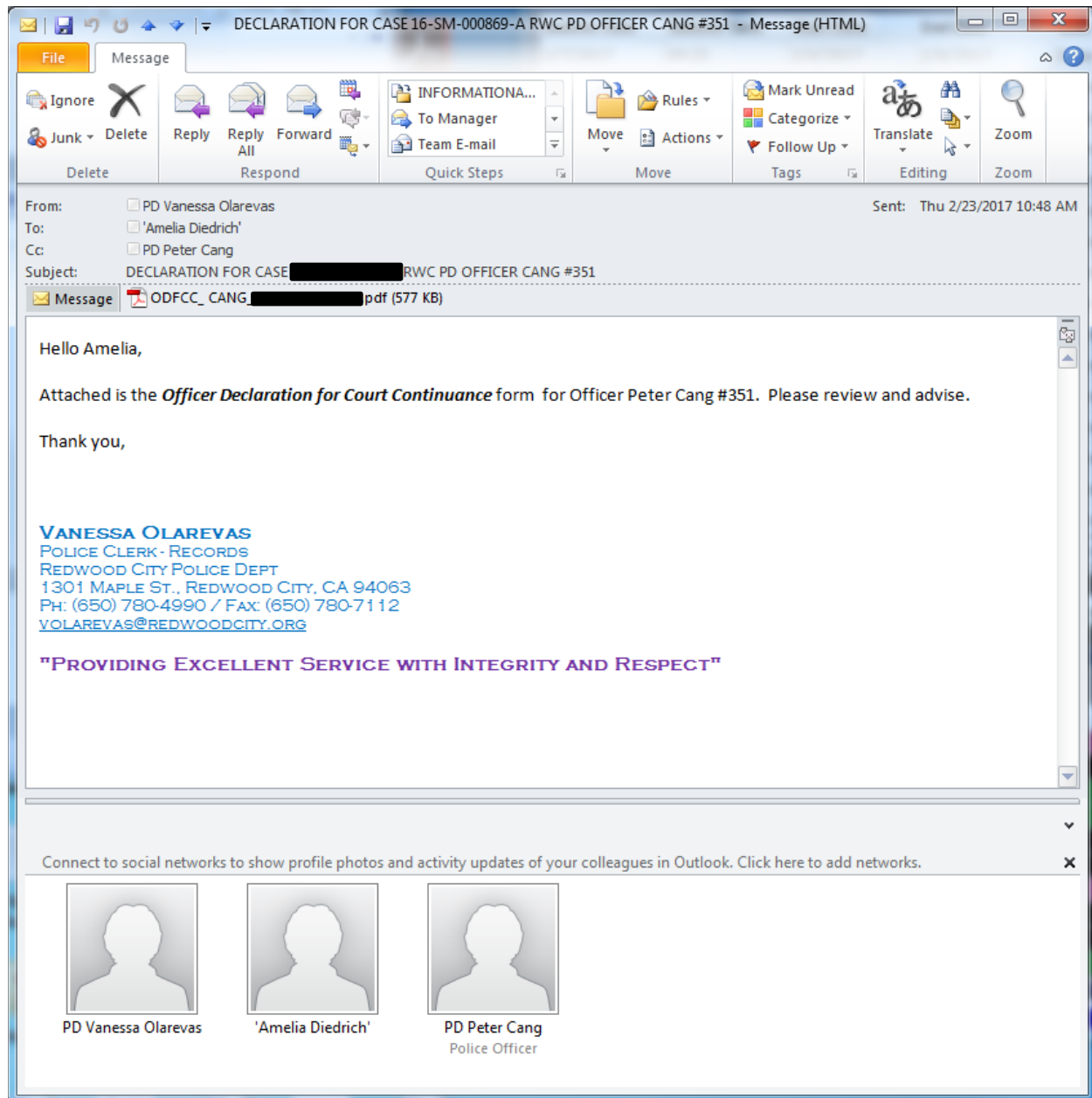
The screenshot shows a software window titled "Subpoena" with a blue title bar and standard window controls. The form is divided into several sections:

- Details Section:** Contains fields for Subpoena # (1829), Person Served (redacted), Court Case (redacted), Court (SUPERIOR COURT OF SAN MATEO), Judge/DDA (DEFENSE ATTORNEY SAMUEL K FEI), Case (redacted), Ref # (redacted), Date (09/10/2008), Time (14:00), and DA Case (redacted).
- Timeline Section:** A table with columns for Date, Time, and By. It lists several events: Received (08/29/2008, 16:30, redacted), Entered into RIMS (08/29/2008, 16:35, redacted), Serving Person in Agency (empty), Acknowledged by Recipient (09/09/2008, 16:10, empty), Signed by Recipient (empty), Returned to Issuer (empty), and Recalled and Reason (empty).
- Note Section:** A text area containing the address: 711 VAN NESS AV. SUITE 305, SAN FRANCISCO, CA 94102.
- Navigation and Action Buttons:** At the bottom, there are buttons for "Prev", "OK", "Cancel", "Delete", "Print", and "Next".

	Date	Time	By
Received	08/29/2008	16:30	[Redacted]
Entered into RIMS	08/29/2008	16:35	[Redacted]
Serving Person in Agency			[Redacted]
Acknowledged by Recipient	09/09/2008	16:10	
Signed by Recipient			
Returned to Issuer			
Recalled and Reason			

CALL OFF'S: E-SUBPOENA PORTAL

EXAMPLE OF E-MAIL SENT TO THE DA



- THE OFFICER DECLARATION FOR COURT CONTINUANCE PAGE IS FILLED OUT (WITH A COPY OF THE SUBPOENA) AND ATTACHED IN THE EMAIL

OFFICER DECLARATION FOR COURT CONTINUANCE

I, D. Valencia, am an officer with Redwood City P.D. and in that capacity declare as follows:

That I have been subpoenaed in People v. [REDACTED], Court Case Number [REDACTED] for the following date: 6/26/17. (Attach copy of the subpoena.)

That I am unavailable to appear at court on those dates for the following reasons:

☐ I will be on a previously scheduled vacation.

☐ I am scheduled to go on Military Leave. (Attach copies of military orders.)

☒ I am scheduled to attend the following training class: Wire Tap Class
at San Francisco, CA.

☐ Other (please specify) _____

That I am unable to cancel or reschedule my vacation, military leave, training or other for the following reason:

☐ Prepaid vacation (explain) _____

☐ I would lose my deposit (explain) _____

☐ This trip has been planned since _____

☐ No other training class is available until _____

☐ Other (please specify) _____

That if sworn as a witness I would testify as per the arrest report.

Based on the above, I will not be available to testify from 6/26/17 to 6/26/17.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on 6/14/17.

[Signature] Dated 6/14/17
(Signature of Officer/Deputy)

Officer _____ is unavailable from _____ to _____
based on _____
(Reason for Unavailability)

and has not received this subpoena.

[Signature] #332
(Signature of Officer's/Deputy's Supervisor)

EXAMPLES OF OFFICER SUBPOENA ENTRIES

OUT OF COUNTY

Agency Subpoena			
Page 1 Notes Attachments Audit			
Details			
Subpoena #	27960	Person Served	CASTRO, JESUS
Defendant		Court	OTHER - SEE NOTES
Court Case		Case	
Type	Criminal	Ref #	
Judge/DA	SHANNON MURPHY	DA Case	
Date	02/29/2016	DA Phone	831-454-2321
	Time 09:00	Citation	
Received	Date 02/23/2016	Time 14:00	By SAMONTE, AGNES
Entered into RIMS	Date 02/23/2016	Time 14:12	By SAMONTE, AGNES
Serving Person in Agency			
Acknowledged by Recipient	Date 02/24/2016	Time 06:47	
Signed by Recipient			
Returned to Issuer			
Recalled and Reason			
Note	701 OCEAN ST DEPT 7, SANTA CRUZ TO VERIFY SUBPOENA RECEIPT/ FAX# 831-454-2694 CALL WITNESS COORDINATOR JILL AYERS		
Prev OK Cancel Delete Clone Print Next			

TRAFFIC ENTRY

Agency Subpoena			
Page 1 Notes Attachments Audit			
Details			
Subpoena #	26190	Person Served	WOLFE, W
Defendant		Court	SOUTHERN MUNI TRAFFIC
Court Case		Case	
Type	Traffic	Ref #	
Judge/DA	REANNA SHARMA	DA Case	
Date	02/25/2016	DA Phone	650-261-5013
	Time 13:30	Citation	68757934
Received	Date 08/07/2015	Time 10:00	By SAMONTE, AGNES
Entered into RIMS	Date 08/07/2015	Time 14:33	By SAMONTE, AGNES
Serving Person in Agency	Date 08/17/2015		By WITTMAN, A
Acknowledged by Recipient			
Signed by Recipient			
Returned to Issuer			
Recalled and Reason			
Note	TRAFFIC		
Prev OK Cancel Delete Clone Print Next			

WRITTEN DECLARATION

Agency Subpoena			
Page 1 Notes Attachments Audit			
Details			
Subpoena #	27857	Person Served	POVEDA, O
Defendant		Court	SOUTHERN MUNI TRAFFIC
Court Case		Case	Ref #
Type	Traffic	DA Case	
Judge/DA	ESTRELLITA TORRES	DA Phone	650-261-5013
Date	02/29/2016	Citation	68754120
		Time	
Received	02/11/2016	10:00	SAMONTE, AGNES
Entered into RIMS	02/11/2016	12:55	SAMONTE, AGNES
Serving Person in Agency			
Acknowledged by Recipient	02/17/2016	20:43	
Signed by Recipient			
Returned to Issuer			
Recalled and Reason			
Note	WRITTEN DECLARATION		
Prev OK Cancel Delete Clone Print Next			

DEPOSITION SUBPOENA

Agency Subpoena			
Page 1 Notes Attachments Audit			
Details			
Subpoena #	27893	Person Served	
Defendant		Court	OTHER - SEE NOTES
Court Case		Case	Ref #
Type	Civil	DA Case	
Judge/DA	JULIETTE MCCULLOUGH	DA Phone	415-438-4600
Date	02/29/2016	Citation	
		Time	10:00
Received	02/10/2016	10:00	SAMONTE, AGNES
Entered into RIMS	02/17/2016	08:41	SAMONTE, AGNES
Serving Person in Agency	02/18/2016		SAMONTE, AGNES
Acknowledged by Recipient	03/01/2016	08:26	
Signed by Recipient			
Returned to Issuer			
Recalled and Reason			
Note	DEPOSITION SUBPOENA 02-18-16 NGUY PREPARED REPORT AND PROPERTY COPIED EVIDENCE #11 FOR P/U - REFER TO ATTACHMENT #1077		
Prev OK Cancel Delete Clone Print Next			

JUVENILE COURT

Agency Subpoena

Page 1 | Notes | Attachments | Audit

Details

Subpoena # **28070** Person Served **BARRON, ANTHONY**

Defendant **[REDACTED]** Court **HILLCREST CRIMINAL**

Court Case **[REDACTED]** Case **[REDACTED]** Ref # **[REDACTED]**

Type **Juvenile Court** DA Case **[REDACTED]**

Judge/DA **JAMES WADE** DA Phone **650-312-5303**

Date **03/22/2016** Time **08:00** Citation **[REDACTED]**

	Date	Time	By
Received	03/04/2016	09:00	SAMONTE, AGNES
Entered into RIMS	03/04/2016	09:54	SAMONTE, AGNES
Serving Person in Agency			
Acknowledged by Recipient	03/05/2016	01:54	
Signed by Recipient			
Returned to Issuer			
Recalled and Reason			

Note **JUV COURT**

Prev OK Cancel Delete Clone Print Next

JUVENILE TRAFFIC COURT

Agency Subpoena

Page 1 | Notes | Attachments | Audit

Details

Subpoena # **28088** Person Served **GONZALEZ, ADOLFO**

Defendant **[REDACTED]** Court **HILLCREST TRAFFIC**

Court Case **[REDACTED]** Case **[REDACTED]** Ref # **[REDACTED]**

Type **Juvenile Traffic** DA Case **[REDACTED]**

Judge/DA **[REDACTED]** DA Phone **650-312-8816**

Date **03/14/2016** Time **09:00** Citation **68783303**

	Date	Time	By
Received	03/07/2016	09:00	OLAREVAS, VANESSA
Entered into RIMS	03/07/2016	14:15	OLAREVAS, VANESSA
Serving Person in Agency			
Acknowledged by Recipient			
Signed by Recipient			
Returned to Issuer			
Recalled and Reason			

Note **JUV TRAFFIC COURT**

Prev OK Cancel Delete Clone Print Next

OFFICER/DETECTIVE OUT ON MEDICAL LEAVE

Agency Subpoena

Page 1 | Notes | Attachments | Audit

Details

Subpoena # 28098 Person Served [REDACTED]
 Defendant [REDACTED] Court SUPERIOR COURT OF SAN MATEO
 Court Case [REDACTED] Case [REDACTED] Ref # [REDACTED]
 Type Criminal DA Case [REDACTED]
 Judge/DA MADHA, DESHAWN D. DA Phone 650-363-4677
 Date 03/21/2016 Time 08:15 Citation [REDACTED]

	Date	Time	By
Received	03/07/2016	08:00	OLAREVAS, VANESSA
Entered into RIMS	03/07/2016	16:29	OLAREVAS, VANESSA
Serving Person in Agency			
Acknowledged by Recipient			
Signed by Recipient			
Returned to Issuer			
Recalled and Reason			

Note JURY TRIAL 03-07-16 OFFICER ON MEDICAL LEAVE - UNK RETURN DATE/
 SENT SUBPOENA BACK TO DA WITH NOTATION #1150

Prev OK Oops Delete Clone Print Next

RESCHEDULED ENTRY

Agency Subpoena

Page 1 | Notes | Attachments | Audit

Details

Subpoena # 26002 Person Served DELACERDA, MONICA
 Defendant [REDACTED] Court SOUTHERN MUNI TRAFFIC
 Court Case [REDACTED] Case [REDACTED] Ref # [REDACTED]
 Type Traffic DA Case [REDACTED]
 Judge/DA REANNA SHARMA DA Phone 650-261-5013
 Date 03/08/2016 Time 13:30 Citation 68757721

	Date	Time	By
Received	07/15/2015	10:00	[REDACTED]
Entered into RIMS	07/21/2015	09:51	SAMONTE, AGNES
Serving Person in Agency	07/24/2015		GUNDERSON, JOHN
Acknowledged by Recipient	01/31/2016	19:04	
Signed by Recipient			
Returned to Issuer			
Recalled and Reason	03/04/2016		RESET TO 08-10-16 PER NEW SUBPOENA

Note CONT TO 08-10-16

Prev OK Cancel Delete Clone Print Next

DEPOSITION SUBPOENAS (OFFICER WITNESS)

Agency Subpoena			
Page 1 Notes Attachments Audit			
Details			
Subpoena #	29051	Person Served	OROZCO, RUBEN
Defendant		Court	OTHER - SEE NOTES
Court Case		Case	Ref #
Type	Civil	DA Case	
Judge/DA	ROBERT H. BOHN	DA Phone	408-279-4222
Date	06/29/2016	Time	10:00
		Citation	
	Date	Time	By
Received	06/08/2016	10:00	OLAREVAS, VANESSA
Entered into RIMS	06/21/2016	16:44	OLAREVAS, VANESSA
Serving Person in Agency	06/17/2016		HENSON, T
Acknowledged by Recipient			
Signed by Recipient			
Returned to Issuer			
Recalled and Reason			
Note	152 NORTH THIRD ST #501 SAN JOSE DEPO SUBPOENA/RECVD CHK FOR \$295		





INFORMAL DISCOVERY REQUEST

California Penal Code Section 1054. This chapter shall be interpreted to give effect to all of the following purposes:

- (a) To promote the ascertainment of truth in trials by requiring timely pretrial discovery.
- (b) To save court time by requiring that discovery be conducted informally between and among the parties before judicial enforcement is requested.
- (c) To save court time in trial and avoid the necessity for frequent interruptions and postponements.
- (d) To protect victims and witnesses from danger, harassment, and undue delay of the proceedings.
- (e) To provide that no discovery shall occur in criminal cases except as provided by this chapter, other express statutory provisions, or as mandated by the Constitution of the United States.

In a sense, informal discovery can be defined by what it is not. It is not generally governed by any rules, scheduling orders, or official approved techniques. Unlike formal discovery, informal discovery may begin at any time you are considering a possible lawsuit and requires no court permission or supervision. Informal discovery is a shorthand description for the unregulated fact investigation undertaken by an advocate, or under the supervision of the advocate, in order to perform case analysis, garner evidence in support of a client's claim or defense, discover adverse information that might defeat the client's claim, or simply to reveal additional sources of information that might bear on the client's claim.

<http://blog.legalsolutions.thomsonreuters.com/trial-advocacy-skills/informal-discovery-process/>

Discovery

n. the entire efforts of a party to a lawsuit and his/her/its attorneys to obtain information before trial through demands for production of documents, depositions of parties and potential witnesses, written interrogatories (questions and answers written under oath), written requests for admissions of fact, examination of the scene, and the petitions and motions employed to enforce discovery rights. The theory of broad rights of discovery is that all parties will go to trial with as much knowledge as possible and that neither party should be able to keep secrets from the other (except for constitutional protection against self-incrimination). Often much of the fight between the two sides in a suit takes place during the discovery period.

Discovery legal definition of discovery. (n.d.). Retrieved January 11, 2017, from <http://legal-dictionary.thefreedictionary.com/discovery>

ENTERING AN INFORMAL DISCOVERY REQUEST

- Make sure the subpoena has been signed and has a court stamp.
- Stamp the subpoena with the “Date Stamp” (you will not serve the officer with this subpoena; this is not a subpoena to appear in court it is for you to produce documents; usually the back of a citation and any other related documents to the citation).
- Check the subpoena it will probably not include the name of the officer only the citation number. You will need to research the citation number to find out what officer issued the citation.
- In RIMS click “Cites”

Date	Citation	Person Cited	Violation #1	Officer
8/4/2010	68701953		11364 HS -Cntl Sub Paraphernalia	363
8/4/2010	68704756		21461(A) VC -FAILURE TO OBEY SIGN/N	190
8/4/2010	68706077		243(E)(1) PC -BATTERY	201
8/5/2010	68706205		-	384
8/6/2010	68703298		11550(A) HS -Under Influence Cntl Sub	391
8/6/2010	68704542		11357(B) HS -Poss Marij Und 28.5 Grams	381
8/6/2010	68705364		11550(A) HS -Under Influence Cntl Sub	318
8/7/2010	68-703065		23152(A) VC -DUI	305
8/7/2010	68703065		23152(A) VC -DUI	305
8/7/2010	68704515		23152(A) VC -DUI	400
8/8/2010	68-703300		31 VC -PROVIDE FALSE INFORMATION	391
8/8/2010	68-704488		23152(A) VC -DUI	376
8/8/2010	68-705793		23152(A) VC -DUI	388
8/8/2010	68-706303		11550(A) HS -Under Influence Cntl Sub	391
8/8/2010	68703300		31 VC -PROVIDE FALSE INFORMATION	391
8/8/2010	68704488		23152(A) VC -DUI	376
8/8/2010	68704516		23152(A) VC -DUI	400
8/8/2010	68706303		11550(A) HS -Under Influence Cntl Sub	391
8/9/2010	68-703068		23152(A) VC -DUI	305

Citation Number

OK Add Citation One Officer Position to Date Print

- Type the citation number (no dashes)
- Click “OK”

- You will find the officer name under “Issued By”
- Once you have the officer name you can enter the subpoena in RIMS.

Citation

Page 1 | Page 2 | Narrative | Photos | Attachments | Audit

Cite Info

Cite # 68704756
 Location EL CAMINO REAL/JEFFERSON AV
 City Redwood City
 Place
 Issued 8/4/2010 Time 1140
 Ct Date 8/25/2010 Time 0830
 Note
 Area 6 Beat 6
 Status Processed
 Type Infraction

Cited [Redacted]
Vehicle Gray Honda Odyssey [Redacted]
☐ Student
☒ Driver is RD

Officers/Routing

Issued By 190 MCGEE, J
 Assisted By
 Approved By
 Routed To SOUTHERN TRAFFIC 7/26/2010
 Sent to DMV Warning Ltr

Dispositions

Dispo Notice to Appear Date
 Ct Dispo Date
☐ Radar Cite ☐ Searched Veh

Violation	Class	Description	Fine
21461(A) VC	Moving	FAILURE TO OBEY SIGN/NO TURN ON RED	12

Prev OK Cancel Person Owner Vehicle Delete Print Next

- In RIMS click Records> Subpoenas
- Click “Add Subpoena”

Example below:

Subpoena

Details

Subpoena # 2244
 Court Case
 Judge/DDA
 Date Time
 Person Served [Redacted]
 Court [Redacted]
 Case Ref #
 DA Case

Received

Date	Time	By
10/16/2008	10:24	DUENAS, LIDIA

Note

Prev OK Cancel Delete Print Next

- If this is a Traffic Subpoena, type in the citation number as if were a report number (example: R68-67-1575) then tab over to the next field.
- If this is a Traffic Subpoena involving a red light ticket leave this field blank and tab over to the next field. (you may type in the citation number in the “Note” field)
 - In “Ref #” type the court case number (also known as “docket number”) and tab over to the next field.
 - In “Date” type the court date and tab over.
 - In “Time” type the time and tab over. (for this kind of subpoena you don’t usually have a time, if so, just leave it blank)
 - In “DA Case” type the DA # and tab over.
 - In “Received Date” type the date you received the subpoena, and tab over.
 - In “Received Time” type the time you received the subpoena. If you do not know what time you received the subpoena, leave it blank, and tab over to the next field.
 - In “Received By” start typing your last name, this should bring up a drop down menu. Select your name from the menu and tab over to the next field.
 - Tab over to “Note”: Type “Informal Discovery Request”

Subpoena

Details

Subpoena # Person Served

Court Case Court

Judge/DDA Case Ref #

Date Time DA Case

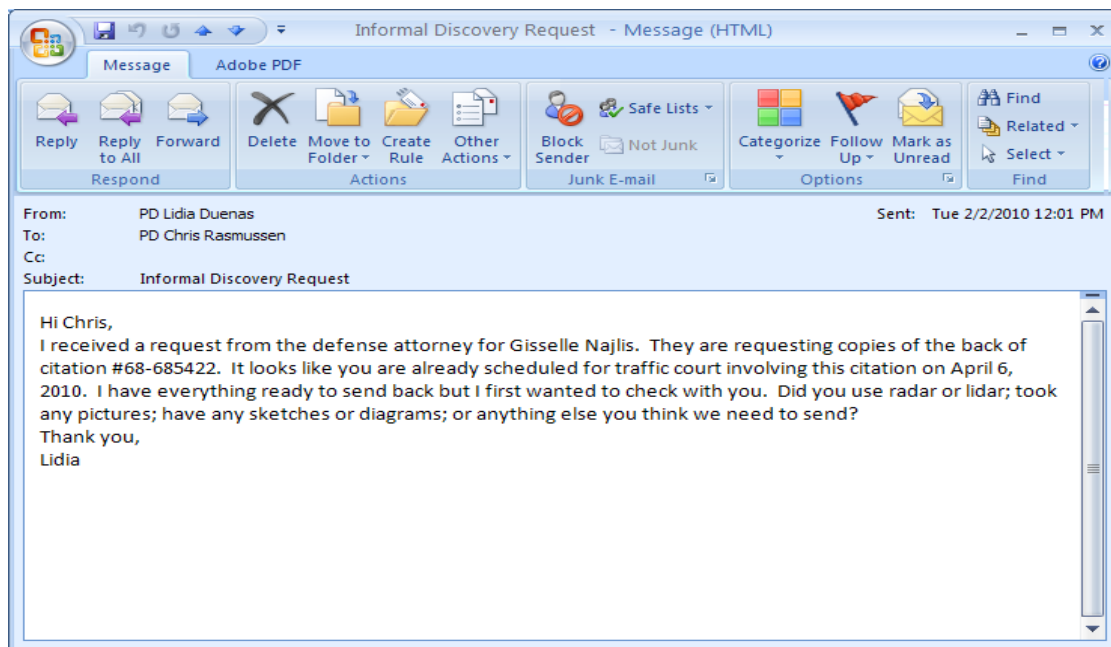
	Date	Time	By
Received	6/15/2010		
Entered into RIMS	6/15/2010	15:09	
Serving Person in Agency			
Acknowledged by Recipient	6/15/2010	15:56	
Signed by Recipient			
Returned to Issuer			
Recalled and Reason			

Note

Prev OK Cancel Delete Clone Print Next

- Now click “OK”
- Your screen should disappear and you should be back where you started “Subpoena Log”. Your subpoena has been entered successfully!
- Scan and attach the subpoena
- Now send the officer an e-mail asking him/her if there is any information to be attached besides the citation copy.

Example below:



- Now print a copy of the citation front and back.
- Hold on/scan the subpoena and copy of citation until you hear from the officer.
- Once the officer has responded stamp the documents and mail them back to the requestor.

- Make sure you update your subpoena entry record under “Note” everything you do.

Example below:

The screenshot shows a web-based form titled "Subpoena". The form is divided into several sections:

- Details:**
 - Subpoena #: 8218
 - Person Served: [Redacted]
 - Court Case: [Redacted]
 - Court: OTHER - SEE NOTES
 - Judge/DDA: SHERRY GEIDELMAN (650)615-0117
 - Case: [Redacted]
 - Ref #: [Redacted]
 - Date: 8/3/2010
 - Time: 13:30
 - DA Case: [Redacted]
- Received:** 6/15/2010
- Entered into RIMS:** 6/15/2010 15:09
- Serving Person in Agency:** [Redacted]
- Acknowledged by Recipient:** 6/15/2010 15:56
- Signed by Recipient:** [Redacted]
- Returned to Issuer:** [Redacted]
- Recalled and Reason:** [Redacted]
- Note:** INFORMAL DISCOVERY REQUEST
6/15/2010 mailed docs. Id

An arrow points from the "Note" field to the "Subpoena #" field, indicating that updates should be recorded in the notes.

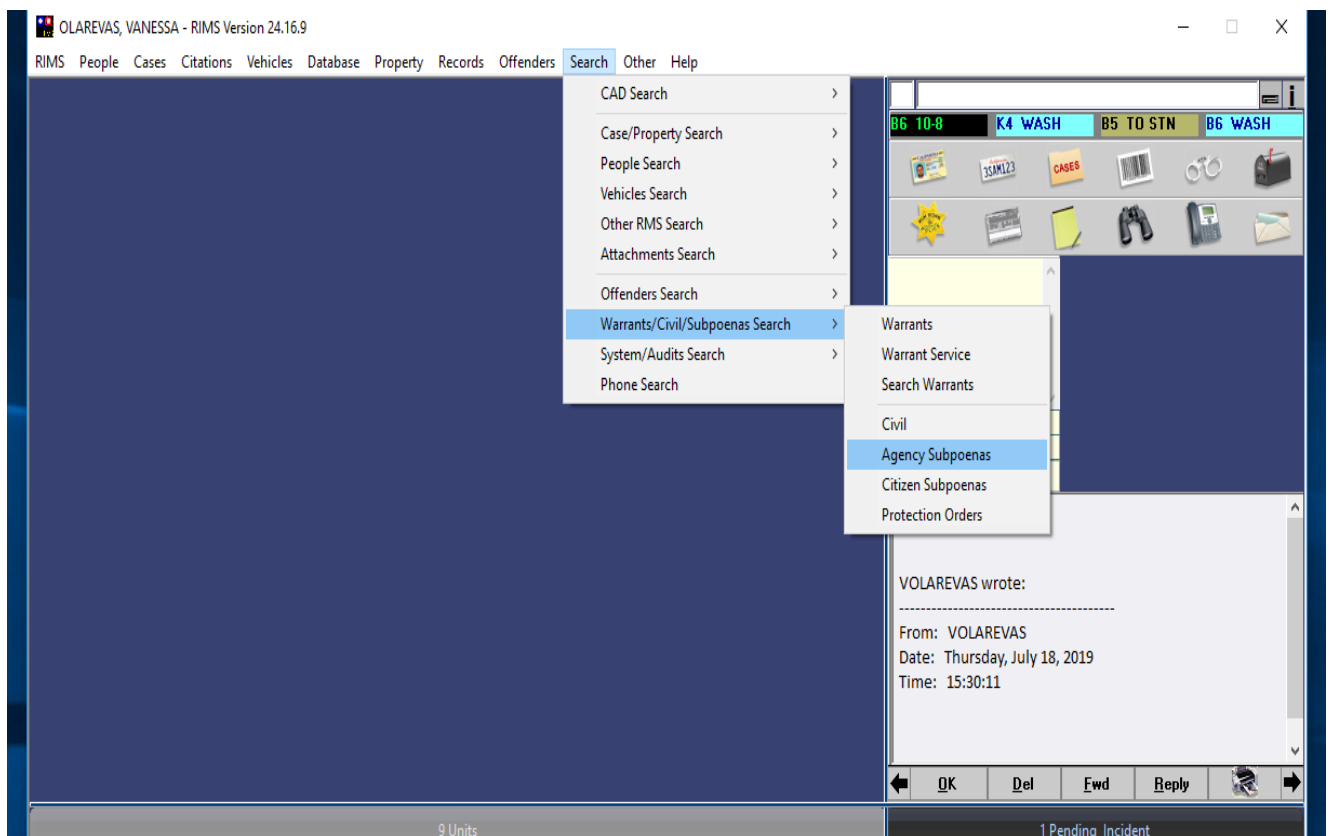
At the bottom of the form, there are buttons: Prev, OK, Cancel, Delete, Clone, Print, and Next.

COURT SCHEDULE

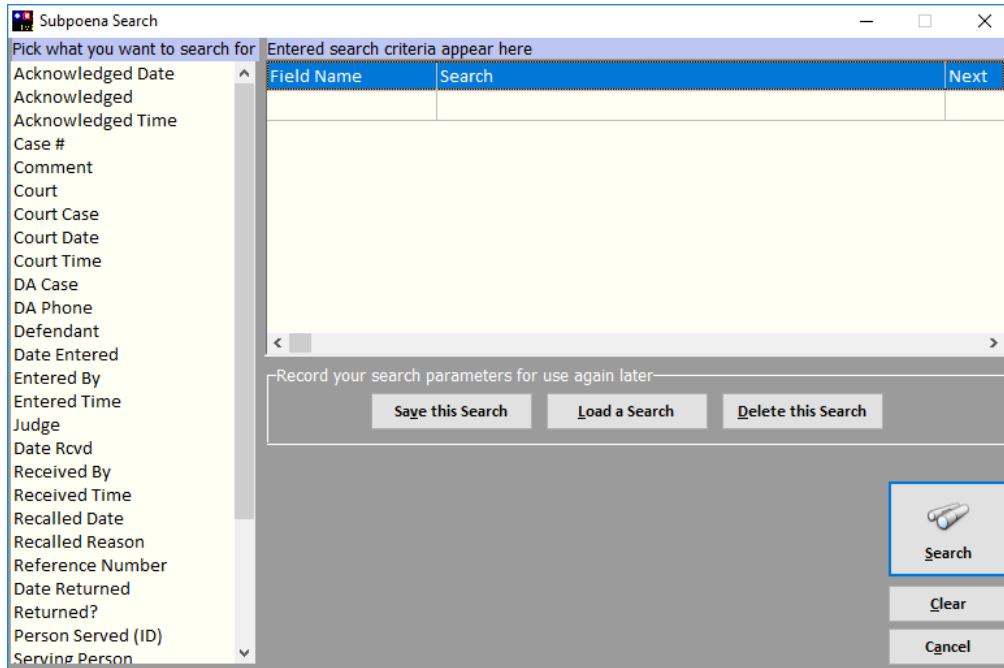
By the end of each day, you need to print out the court schedule. The court schedule has Traffic and Out-of-County Subpoena Court dates and times.

To print the schedule:

Search Tab > Warrants/Civil/Subpoena Search > Agency Subpoenas

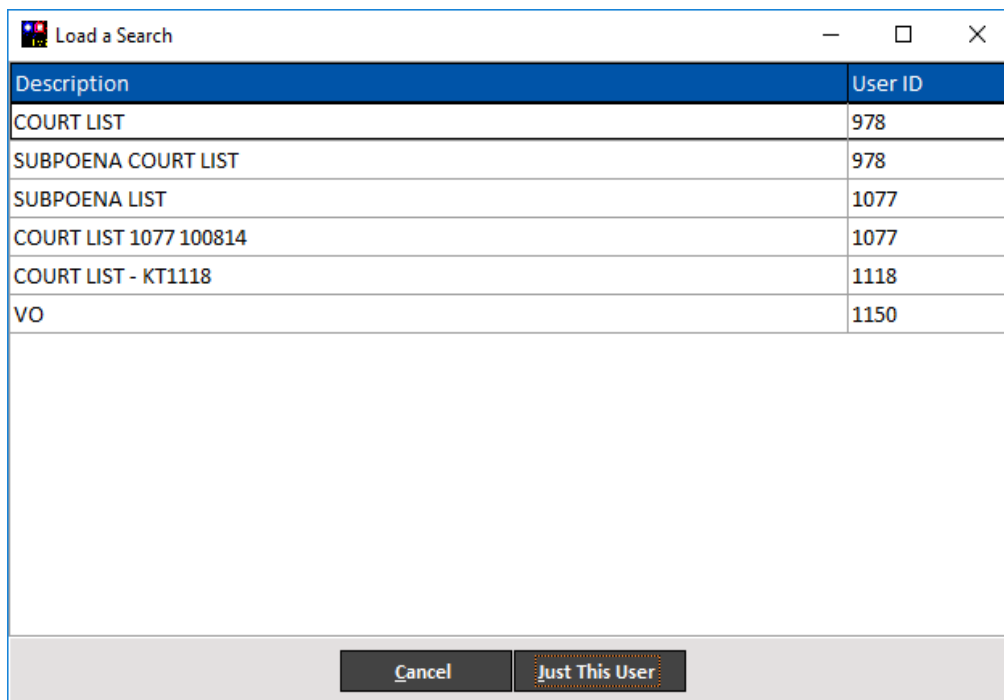


The Subpoena Search window will pop up



The Subpoena Search window is a software interface for searching legal records. It features a left-hand sidebar with a list of searchable fields, including Acknowledged Date, Acknowledged, Acknowledged Time, Case #, Comment, Court, Court Case, Court Date, Court Time, DA Case, DA Phone, Defendant, Date Entered, Entered By, Entered Time, Judge, Date Rcvd, Received By, Received Time, Recalled Date, Recalled Reason, Reference Number, Date Returned, Returned?, Person Served (ID), and Serving Person. The main area is titled 'Entered search criteria appear here' and contains a table with columns 'Field Name', 'Search', and 'Next'. Below this table is a section for saving search parameters, with buttons for 'Save this Search', 'Load a Search', and 'Delete this Search'. At the bottom right, there are buttons for 'Search', 'Clear', and 'Cancel'.

Click on “Load a Search” -> a “Load a Search” Window will pop up and you will need to click on “All Users”



The Load a Search window displays a table of search results. The table has two columns: 'Description' and 'User ID'. The data rows are as follows:

Description	User ID
COURT LIST	978
SUBPOENA COURT LIST	978
SUBPOENA LIST	1077
COURT LIST 1077 100814	1077
COURT LIST - KT1118	1118
VO	1150

At the bottom of the window, there are two buttons: 'Cancel' and 'Just This User'.

Once the above window pops up you will need to double click on the description that reads “COURT LIST 1077 100814”

Your screen should show you search criteria of Field name/“Court Date” and Search “is 12/23/2014”

The screenshot shows the 'Subpoena Search' window. On the left is a list of search fields: Acknowledged Date, Acknowledged, Acknowledged Time, Case #, Comment, Court, Court Case, Court Date, Court Time, DA Case, DA Phone, Defendant, Date Entered, Entered By, Entered Time, Judge, Date Rcvd, Received By, Received Time, Recalled Date, Recalled Reason, Reference Number, Date Returned, Returned?, Person Served (ID), and Serving Person. The 'Court Date' field is selected. The main area shows 'Entered search criteria appear here' with a table:

Field Name	Search	Next
Court Date	is 12/23/2014	AND

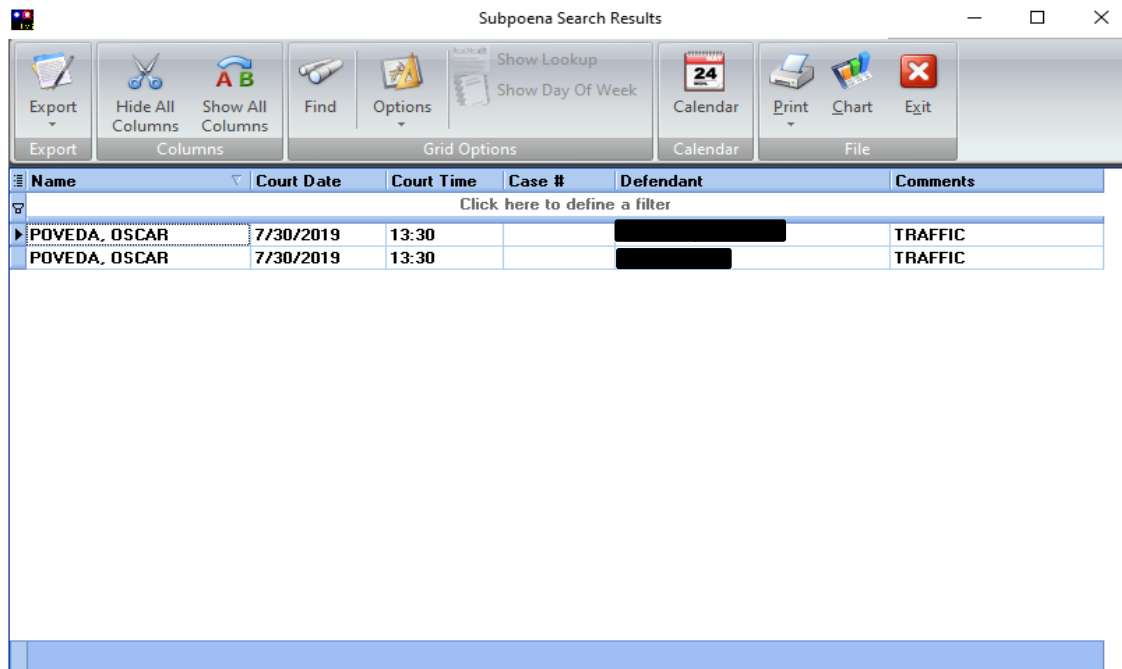
Below the table are buttons: 'Save this Search', 'Load a Search' (highlighted with a blue border), and 'Delete this Search'. At the bottom right are 'Search', 'Clear', and 'Cancel' buttons.

Now click on the “Field name/“Court Date” and Search “is 12/23/2014” the “Date Search” tab will show up and should automatically have “Equal to” filled in and a date next to it.

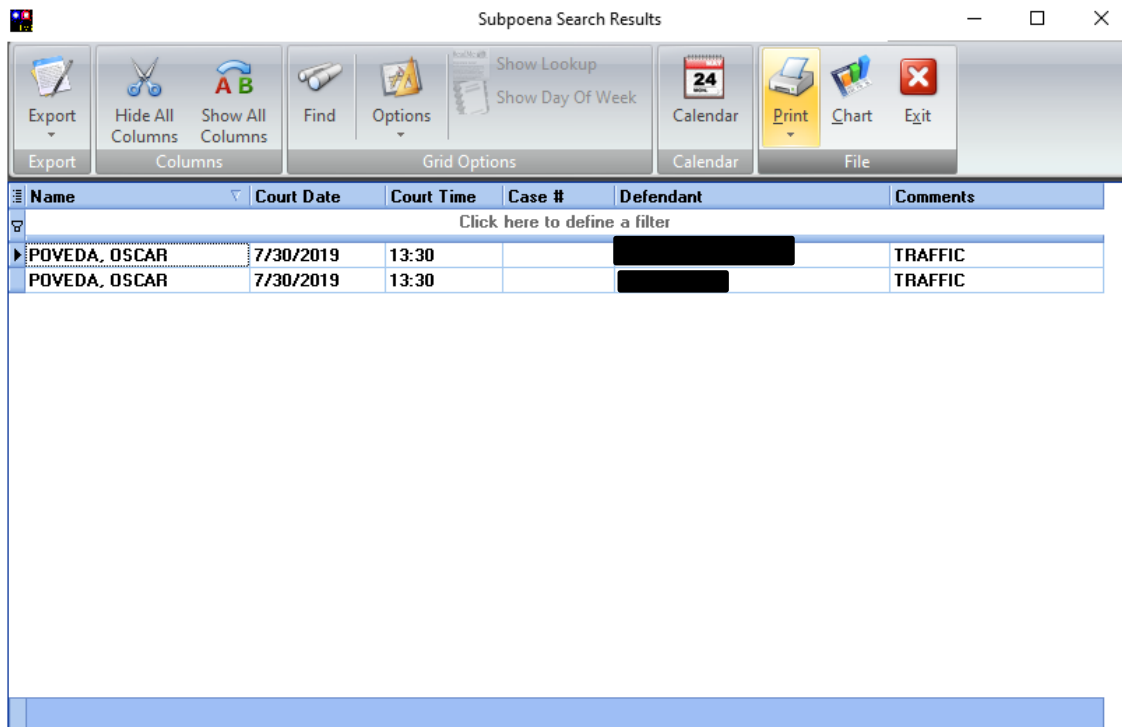
The screenshot shows the 'Subpoena Search' window with the 'Date Search' tab active. The 'Date Options' section has radio buttons for 'Between', 'Equal to' (selected), 'Not Equal to', 'Not Empty', 'Empty', and 'Day of Week'. A date dropdown menu shows '12/23/2014'. The 'Search' button is highlighted with a blue border. The 'Court Date' field in the search criteria table is also highlighted with a blue background.

Now, change the date that is highlighted to the court date that is highlighted and click on the “Search” button.

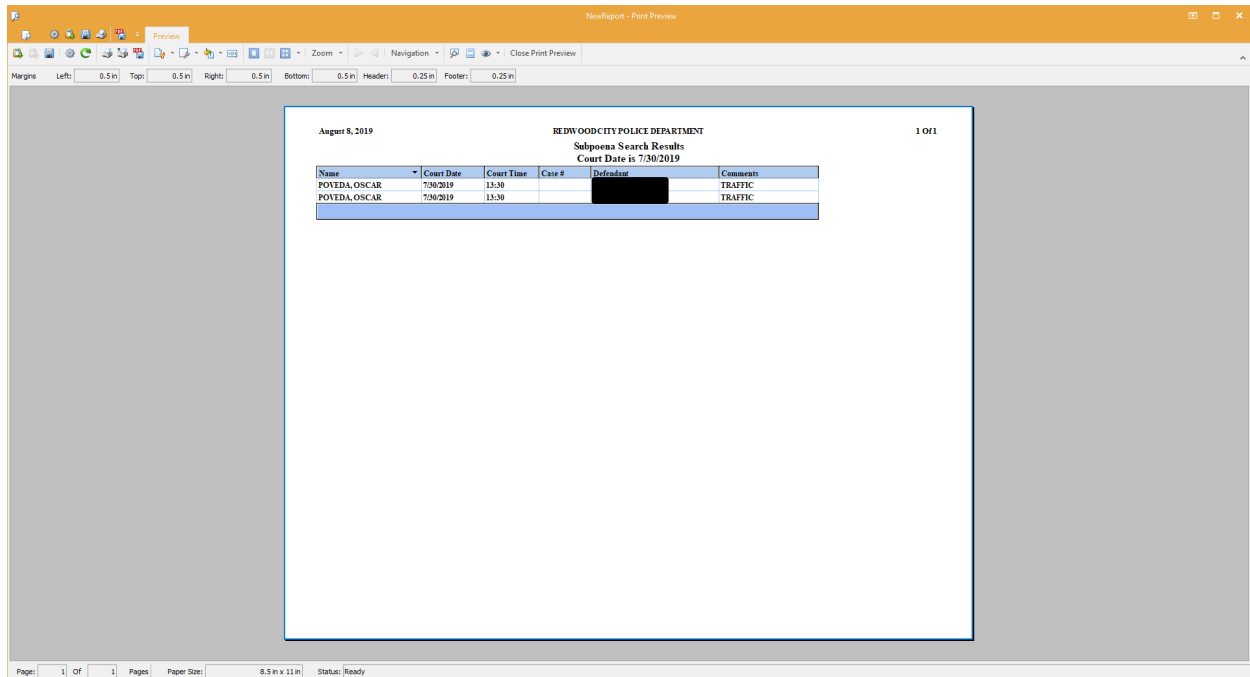
The “Subpoena Search Results” window will pop up.



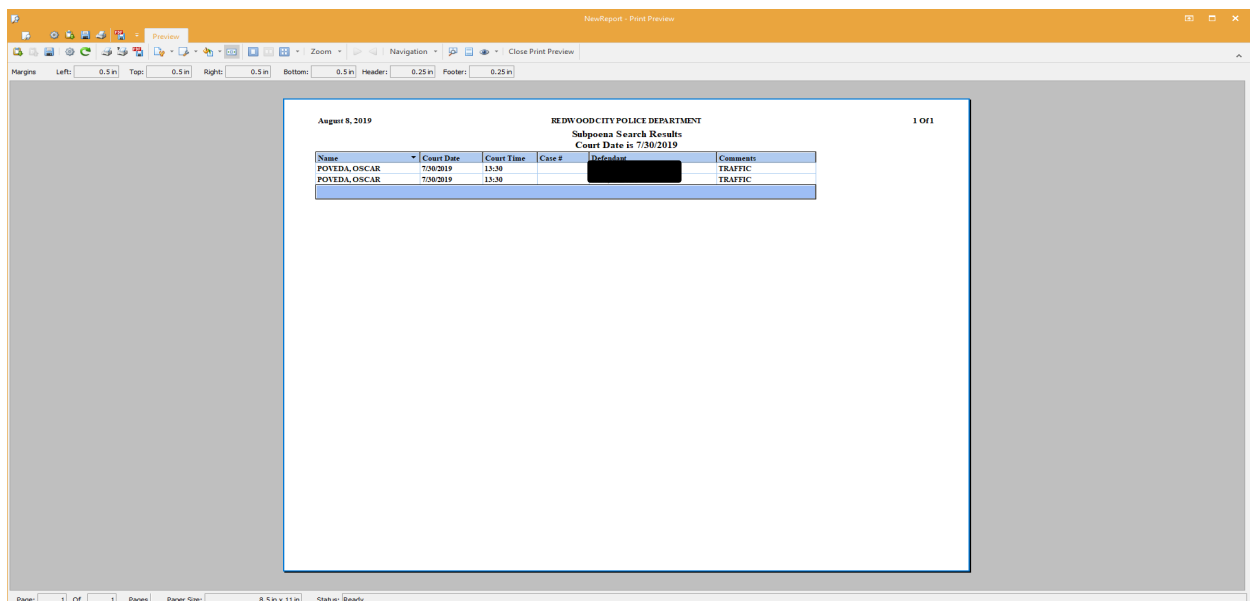
Click on Print (the print option that is highlighted below)



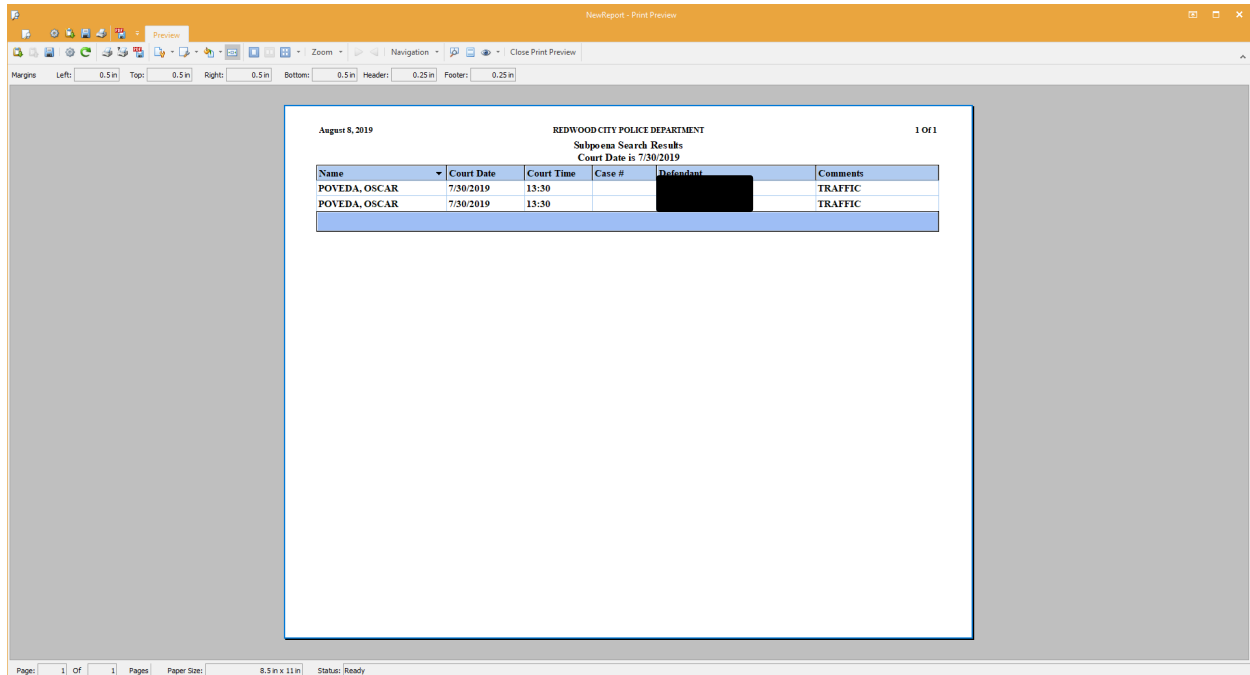
Once you click “Print” a drop down menu will appear -> Click on custom. Once you click on “Custom”, the list should appear (example down below)



The Ribbon up top should already be on the “Preview” tab, now select the “Fit to Page Width” option (12th icon; looks like a box inside of a rectangle)



Once you click on “Fit to Page Width” the list will look like the example below.



Now just print the list using any of the print icons.



SUBPOENA REQUEST

“IN PRO PER” SUBPOENAS

in propria persona

Adj. from Latin "for one's self," acting on one's own behalf, generally used to identify a person who is acting as his/her own attorney in a lawsuit. The popular abbreviation is "in pro per." In the filed legal documents (pleadings), the party's name, address and telephone number are written where the name, address and telephone number of the attorney would normally be stated. The words "in propria persona" or "in pro per" are typed where normally it would say "attorney for plaintiff."

*Legal Dictionary - Law.com. (n.d.). Retrieved March 09, 2017, from <http://dictionary.law.com/Default.aspx?selected=975>

*****If you receive an “IN PRO PER” subpoena and no information is found or the information provided does not reflect any information in RIMS, KWICK TAG or UNIX; Contact the Defendant/Respondent to advise. If he or she decides, they no longer wish to continue with the subpoena request do the outcome please advise that he or she need to provide something in writing indicating the aforementioned. Do not take a verbal response; you need to have some proof that the subpoenas request was terminated on behalf of the requester*****

THE FOLLOWING PAGES IS AN EXAMPLE OF AN “IN PRO PER” SUBPOENA

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): TELEPHONE NO. FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (Name): Respondent, "In Pro Per"		FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN MATEO STREET ADDRESS: 400 COUNTY CENTER MAILING ADDRESS: CITY AND ZIP CODE: REDWOOD CITY, CA 94063 BRANCH NAME: SOUTHERN BRANCH		
PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT:		
DEPOSITION SUBPOENA FOR PRODUCTION OF BUSINESS RECORDS		
		CASE NUMBER:

THE PEOPLE OF THE STATE OF CALIFORNIA, TO (name, address, and telephone number of deponent, if known):

REDWOOD CITY POLICE DEPARTMENT
1301 MAPLE STREET, REDWOOD CITY, CA 94063 (TEL: (650) 780-7100)

1. YOU ARE ORDERED TO PRODUCE THE BUSINESS RECORDS described in item 3, as follows:

To (name of deposition officer): ANISA N. THOBHANI

On (date): 04/01/2017

At (time): 5:00 PM

Location (address): 1098 MELODY LANE, SUITE 202, ROSEVILLE, CA 95678

Do not release the requested records to the deposition officer prior to the date and time stated above.

- ☒ by delivering a true, legible, and durable copy of the business records described in item 3, enclosed in a sealed inner wrapper with the title and number of the action, name of witness, and date of subpoena clearly written on it. The inner wrapper shall then be enclosed in an outer envelope or wrapper, sealed, and mailed to the deposition officer at the address in item 1.
 - ☒ by delivering a true, legible, and durable copy of the business records described in item 3 to the deposition officer at the witness's address, on receipt of payment in cash or by check of the reasonable costs of preparing the copy, as determined under Evidence Code section 1563(b).
 - ☒ by making the original business records described in item 3 available for inspection at your business address by the attorney's representative and permitting copying at your business address under reasonable conditions during normal business hours.
2. The records are to be produced by the date and time shown in item 1 (but not sooner than 20 days after the issuance of the deposition subpoena, or 15 days after service, whichever date is later). Reasonable costs of locating records, making them available or copying them, and postage, if any, are recoverable as set forth in Evidence Code section 1563(b). The records shall be accompanied by an affidavit of the custodian or other qualified witness pursuant to Evidence Code section 1561.
3. The records to be produced are described as follows (if electronically stored information is demanded, the form or forms in which each type of information is to be produced may be specified):
- 1) INCIDENT REPORT # (DATE OF INCIDENT 01/07/2017)

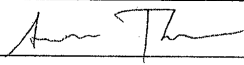
☐ Continued on Attachment 3.

4. IF YOU HAVE BEEN SERVED WITH THIS SUBPOENA AS A CUSTODIAN OF CONSUMER OR EMPLOYEE RECORDS UNDER CODE OF CIVIL PROCEDURE SECTION 1985.3 OR 1985.6 AND A MOTION TO QUASH OR AN OBJECTION HAS BEEN SERVED ON YOU, A COURT ORDER OR AGREEMENT OF THE PARTIES, WITNESSES, AND CONSUMER OR EMPLOYEE AFFECTED MUST BE OBTAINED BEFORE YOU ARE REQUIRED TO PRODUCE CONSUMER OR EMPLOYEE RECORDS.

DISOBEDIENCE OF THIS SUBPOENA MAY BE PUNISHED AS CONTEMPT BY THIS COURT. YOU WILL ALSO BE LIABLE FOR THE SUM OF FIVE HUNDRED DOLLARS AND ALL DAMAGES RESULTING FROM YOUR FAILURE TO OBEY.

Date issued: 02/28/2017

Anisa N. Thobhani
(TYPE OR PRINT NAME)



(SIGNATURE OF PERSON ISSUING SUBPOENA)

DEPOSITION OFFICER, ATTORNEY

(Proof of service on reverse)

(TITLE)

Page 1 of 2

Form Adopted for Mandatory Use
Judicial Branch
SUBP-010 [Rev. January 1, 2012]

REDWOOD CITY POLICE

ESSENTIAL FORMS

DEPOSITION SUBPOENA FOR PRODUCTION
OF BUSINESS RECORDS

Code of Civil Procedure, §§ 2020.410-2020.440;
Government Code, § 68097.1
www.courts.ca.gov

Justin Agcaoili

PLAINTIFF/PETITIONER: [REDACTED]	CASE NUMBER: [REDACTED]
DEFENDANT/RESPONDENT: [REDACTED]	

**PROOF OF SERVICE OF DEPOSITION SUBPOENA FOR
PRODUCTION OF BUSINESS RECORDS**

1. I served this *Deposition Subpoena for Production of Business Records* by personally delivering a copy to the person served as follows:
 - a. Person served (name):
 - b. Address where served:
 - c. Date of delivery:
 - d. Time of delivery:
 - e. (1) ☐ Witness fees were paid.
Amount:..... \$ _____
 - (2) ☐ Copying fees were paid.
Amount:..... \$ _____
 - f. Fee for service:..... \$ _____
2. I received this subpoena for service on (date):
3. Person serving:
 - a. ☐ Not a registered California process server.
 - b. ☐ California sheriff or marshal.
 - c. ☐ Registered California process server.
 - d. ☐ Employee or independent contractor of a registered California process server.
 - e. ☐ Exempt from registration under Business and Professions Code section 22350(b).
 - f. ☐ Registered professional photocopier.
 - g. ☐ Exempt from registration under Business and Professions Code section 22451.
 - h. Name, address, telephone number, and, if applicable, county of registration and number:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:



(SIGNATURE)

(For California sheriff or marshal use only)
I certify that the foregoing is true and correct.

Date:



(SIGNATURE)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): [REDACTED]		FOR COURT USE ONLY
TELEPHONE NO.: [REDACTED]	FAX NO. (Optional):	
E-MAIL ADDRESS (Optional):		
ATTORNEY FOR (Name): Respondent, "In Pro Per"		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN MATEO		CASE NUMBER: [REDACTED]
STREET ADDRESS: 400 COUNTY CENTER		
MAILING ADDRESS:		
CITY AND ZIP CODE: REDWOOD CITY, CA 94063		
BRANCH NAME: SOUTHERN BRANCH		
PLAINTIFF/PETITIONER: [REDACTED]		
DEFENDANT/RESPONDENT: [REDACTED]		
NOTICE TO CONSUMER OR EMPLOYEE AND OBJECTION (Code Civ. Proc., §§ 1985.3, 1985.6)		

NOTICE TO CONSUMER OR EMPLOYEE

TO (name): SARAH CAMILLE CONREY, ATTORNEY FOR [REDACTED]

- PLEASE TAKE NOTICE THAT **REQUESTING PARTY (name):** [REDACTED] SEEKS YOUR RECORDS FOR EXAMINATION by the parties to this action on (specify date): 04/01/2017
The records are described in the subpoena directed to **witness (specify name and address of person or entity from whom records are sought):** REDWOOD CITY POLICE DEPARTMENT, 1301 MAPLE STREET, REDWOOD CITY, CA 94063
A copy of the subpoena is attached.
- IF YOU OBJECT to the production of these records, YOU MUST DO ONE OF THE FOLLOWING BEFORE THE DATE SPECIFIED. IN ITEM a. OR b. BELOW:
 - If you are a party to the above-entitled action, you must file a motion pursuant to Code of Civil Procedure section 1987.1 to quash or modify the subpoena and give notice of that motion to the **witness** and the **deposition officer** named in the subpoena at least five days before the date set for production of the records.
 - If you are not a party to this action, you must serve on the **requesting party** and on the **witness**, before the date set for production of the records, a written objection that states the specific grounds on which production of such records should be prohibited. You may use the form below to object and state the grounds for your objection. You must complete the Proof of Service on the reverse side indicating whether you personally served or mailed the objection. The objection should **not** be filed with the court. **WARNING: IF YOUR OBJECTION IS NOT RECEIVED BEFORE THE DATE SPECIFIED IN ITEM 1, YOUR RECORDS MAY BE PRODUCED AND MAY BE AVAILABLE TO ALL PARTIES.**
- YOU OR YOUR ATTORNEY MAY CONTACT THE UNDERSIGNED to determine whether an agreement can be reached in writing to cancel or limit the scope of the subpoena. If no such agreement is reached, and if you are not otherwise represented by an attorney in this action, YOU SHOULD CONSULT AN ATTORNEY TO ADVISE YOU OF YOUR RIGHTS OF PRIVACY.

Date: 02/28/2017

ANISA N. THOBHANT

(TYPE OR PRINT NAME)

DEPOSITION OFFICER, ATTORNEY

(SIGNATURE OF ☐ REQUESTING PARTY ☒ ATTORNEY)

OBJECTION BY NON-PARTY TO PRODUCTION OF RECORDS

- ☐ I object to the production of all of my records specified in the subpoena.
- ☐ I object only to the production of the following specified records:

- The specific grounds for my objection are as follows:

Date:

(TYPE OR PRINT NAME)

(Proof of service on reverse)

(SIGNATURE)

Page 1 of 2

 Form Adopted for Mandatory Use
 Judicial Council of California
 SUBP-025 (Rev. January 1, 2008)


NOTICE TO CONSUMER OR EMPLOYEE AND OBJECTION

 Code of Civil Procedure,
 §§ 1985.3, 1985.6,
 2020.010-2020.510
 www.courtinfo.ca.gov

Justin Agcaoili

PLAINTIFF/PETITIONER: [REDACTED]	SUBP-025
DEFENDANT/RESPONDENT: [REDACTED]	CASE NUMBER: [REDACTED]

PROOF OF SERVICE OF NOTICE TO CONSUMER OR EMPLOYEE AND OBJECTION

(Code Civ. Proc., §§ 1985.3, 1985.6)

☐ Personal Service ☒ Mail

1. At the time of service I was at least 18 years of age and **not a party to this legal action.**
2. I served a copy of the *Notice to Consumer or Employee and Objection* as follows (check either a or b):
 - a. ☐ **Personal service.** I personally delivered the *Notice to Consumer or Employee and Objection* as follows:

(1) Name of person served:	(3) Date served:
(2) Address where served:	(4) Time served:
 - b. ☒ **Mail.** I deposited the *Notice to Consumer or Employee and Objection* in the United States mail, in a sealed envelope with postage fully prepaid. The envelope was addressed as follows:

(1) Name of person served: SARAH CAMILLE CONREY	(3) Date of mailing: 02/28/2017
(2) Address: PO BOX 2722 SANTA CRUZ, CA 95063	(4) Place of mailing (city and state): ROSEVILLE, CA
- c. My residence or business address is (specify): 1098 MELODY LANE, SUITE 202, ROSEVILLE, CA 95678
- d. My phone number is (specify): 916-370-3537

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 02/28/2017

Shaun Smith

(TYPE OR PRINT NAME OF PERSON WHO SERVED)

(SIGNATURE OF PERSON WHO SERVED)

PROOF OF SERVICE OF OBJECTION TO PRODUCTION OF RECORDS

(Code Civ. Proc., §§ 1985.3, 1985.6)

☐ Personal Service ☐ Mail

1. At the time of service I was at least 18 years of age and **not a party to this legal action.**
2. I served a copy of the *Objection to Production of Records* as follows (complete either a or b):
 - a. **ON THE REQUESTING PARTY**
 - (1) ☐ **Personal service.** I personally delivered the *Objection to Production of Records* as follows:

(i) Name of person served:	(iii) Date served:
(ii) Address where served:	(iv) Time served:
 - (2) ☐ **Mail.** I deposited the *Objection to Production of Records* in the United States mail, in a sealed envelope with postage fully prepaid. The envelope was addressed as follows:

(i) Name of person served:	(iii) Date of mailing:
(ii) Address:	(iv) Place of mailing (city and state):
 - (v) I am a resident of or employed in the county where the *Objection to Production of Records* was mailed.
 - b. **ON THE WITNESS**
 - (1) ☐ **Personal service.** I personally delivered the *Objection to Production of Records* as follows:

(i) Name of person served:	(iii) Date served:
(ii) Address where served:	(iv) Time served:
 - (2) ☐ **Mail.** I deposited the *Objection to Production of Records* in the United States mail, in a sealed envelope with postage fully prepaid. The envelope was addressed as follows:

(i) Name of person served:	(iii) Date of mailing:
(ii) Address:	(iv) Place of mailing (city and state):
 - (v) I am a resident of or employed in the county where the *Objection to Production of Records* was mailed.
3. My residence or business address is (specify):
4. My phone number is (specify):

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(TYPE OR PRINT NAME OF PERSON WHO SERVED)

(SIGNATURE OF PERSON WHO SERVED)

PITCHESS MOTION SUBPOENAS

What is a Pitchess Motion Subpoena?

A “Pitchess Motion” is a motion made in a California Superior Court under Cal. Evid. Code 1043-1046, to discover complaints made by others against a peace officer, and the investigation of those complaints, that are contained in the subject officer’s Peace Officer Personnel Records. *Pitchess v. Superior Court*, 11 Cal.3d 531 (1974.) In *Pitchess v. Superior Court*, the California Supreme Court held that because under Cal. Evid. Code § 1103(a)(1), a criminal defendant may introduce evidence of the character of the “victim” of the crime for which he stands accused of committing, to show that the crime victim has a certain character and that the alleged victim (i.e. the police officer) acted in conformity with that character during the incident complained of, that the criminal defendant must be entitled to the discovery of acts of or complaints of violence or dishonesty by a police officer, because the defendant may introduce that evidence at trial in his/her defense. In other words, if the defendant is accused of resisting or battering a police officer, and the defendant is claiming that he/she was one who was the real victim (i.e. that it was the police who used unreasonable force upon them), then evidence that the police officer is a violent person (i.e. complaints of unreasonable force made against the police officer) or dishonest (i.e. such as evidence of bogus police reports or perjured testimony), any such evidence of the officer’s character for violence is “exculpatory.” The same goes for complaints made against the police officer for dishonesty, such as authoring false police reports or falsely testifying under oath.

Fundamentals of the Pitchess Process

Penal Code § 832.7 provides the foundational premise that peace officer personnel records and records of citizen complaints, “. . . or information obtained from these records . . .” are confidential and “shall not” be disclosed in any criminal or civil proceeding except by discovery pursuant to Evidence Code §§ 1043 and 1046. Penal Code §832.8 defines “personnel records” to include personal data, medical history, appraisals and discipline, complaints and investigations relating to an event an officer perceived and/or relating to the manner in which his or her duties were performed, and any other information the disclosure of which would constitute an unwarranted invasion of privacy.

Evidence Code §1043 sets out the requirements for a motion seeking personnel records. The motion must be a written motion noticed according to the requirements of CCP §1005. The notice requirements are mandatory. “No hearing upon a motion for discovery or disclosure shall be held without full compliance with the notice provisions of this section, except upon a showing by the moving party of good cause for non-compliance, or upon a waiver of the hearing by the government agency identified as having the records.” (Ev. Code §1043(c).) If

there are allegations of the use of excessive force by the officers, the motion must also include a copy of the police report per Ev. Code §1046. The motion must be served on the agency having custody and control of the records and the officer must be given notice of the motion by his or her employer even if he no longer works for the agency. (Abatti v. Superior Court (203) 112 Cal.App.4th 39.)

<http://www.cacities.org/getattachment/2866733c-d868-4ab2-8e17-6904f865ec78/Pitchess-Motion-Fundamentals-for-League-Webinar-Pa.aspx>

THE FOLLOWING PAGE IS AN EXAMPLE OF WHAT A PITCHESS MAY LOOK LIKE
(PLEASE KEEP IN MIND THAT IT IS AN EXAMPLE FROM LOS ANGELES COUNTY)

1 RUTH C. ROSE, ESQ. #145887
2 433 N. CAMDEN DRIVE, SUITE 600
3 BEVERLY HILLS, CA. 90210
4 (323) 458-3107
5 Attorney for [REDACTED]

6 SUPERIOR COURT OF THE STATE OF CALIFORNIA
7 FOR THE COUNTY OF LOS ANGELES

8
9 THE PEOPLE OF THE STATE OF
10 CALIFORNIA,

11 Plaintiff,

12 v.

13 [REDACTED]
14
15 Defendant.

Case No.: [REDACTED]

DEFENDANT BELVIN PUGH'S NOTICE
OF MOTION AND MOTION FOR PRE-
TRIAL DISCOVERY (PITCHESS/
BRADY); MEMORANDUM OF POINTS
AND AUTHORITIES; DECLARATION
OF RUTH C. ROSE

DATE: January 19, 2010

TIME: 8:30 a.m.

DEPT: 73

17 TO: J. A. FARROW, COMMISSIONER OF THE CALIFORNIA LOS ANGELES
18 SHERIFF DEPARTMENT AND HIS DESIGNATED REPRESENTATIVES IN THE
19 SOUTHERN DIVISION AND CENTRAL AREA:

20 PLEASE TAKE NOTICE that on the January 19, 2009, at 8:30 a.m. in Department 73 of
21 the above-entitled court, the defendant will move for an order directing each of you to make
22 available the materials herein described to defendant's attorney:
23

24 (1) All complaints from any and all sources relating to acts of violation of constitutional
25 rights, fabrication of charges, fabrication of evidence, fabrication of reasonable suspicion and/or
26 probable cause, illegal search/seizure; false arrest, perjury, dishonesty, writing of false police
27 reports, false or misleading internal reports including but not limited to false overtime or medical
28

We usually get these subpoenas delivered at the Front Desk or by mail. You do not need a check for this type of subpoena.

- When taking subpoenas at the Front Desk. They will ask for your name, badge number and possibly your title.
- This type of subpoena is assigned to the Admin Sergeant.
- Make sure the subpoena has been signed.
- Stamp each subpoena with the “Date Stamp”
- Check the name of the officer and make sure it is one of our officers. If it is for an officer with another agency, return it to the Attorney immediately.

The motion shall include all of the following:

- Identification of the proceeding in which discovery or disclosure is sought, the party seeking discovery or disclosure, the peace or custodial officer whose records are sought, the governmental agency which has custody and control of the records, and the time and place at which the motion for discovery or disclosure shall be heard.
- A description of the type of records or information sought.
- Affidavits showing good cause for the discovery or disclosure sought, setting forth the materiality thereof to the subject matter involved in the pending litigation and stating upon reasonable belief that the governmental agency identified has the records or information from the records.
- No hearing upon a motion for discovery or disclosure shall be held without full compliance with the notice provisions of this section except upon a showing by the moving party of good cause for noncompliance, or upon a waiver of the hearing by the governmental agency identified as having the records.

(Amended by Stats. 2002, Ch. 391, Sec. 1. Effective January 1, 2003.)

California Evidence Code Section 1043 - California Attorney Resources - California Laws. (n.d.). Retrieved December 19, 2016, from <http://law.onecle.com/california/evidence/1043.html>

CONTACT LIST

Pages 91-102 redacted per 6255(a) GC

MISC. INFO

SUBPOENAS FOR RETIRED STAFF

FOR STAFF MEMBERS WHO ARE RETIRED (OR IS NOT EMPLOYED AT THE PD), YOU NEED TO:

TRAFFIC

FAX A LETTER TO 650-261-5053 "ATTN TRAFFIC" AND STATE THE NAME AND BADGE NUMBER OF THE RETIRED MEMBER AS WELL AS THE DATE OF RETIREMENT. SAME APLIES FOR DECESEAD MEMBER.

DA

Send the subpoena back with notation that indicates the aforementioned information.