

**CIVIL DISTRICT COURT FOR THE PARISH OF ORLEANS
STATE OF LOUISIANA**

SUBPOENA

No. _____

DIVISION " "

Docket No. _____

VS.

TO: _____

CLERK, CIVIL DISTRICT COURT - Please issue a subpoena to the above party as directed below.

SUBPOENA REQUEST

[] **YOU ARE COMMANDED** to appear in the Civil District Court, Parish of Orleans in Division "_____", 421 Loyola Ave., New Orleans, LA 70112, on the ____ day of _____, 20____ at _____ o'clock ____ .m., to testify the truth according to your knowledge, in a controversy pending herein between the parties above named; and hereof you are not to fail under the penalty of the law. By order of the Court.

DEPOSITION SUBPOENA REQUEST

[] **YOU ARE COMMANDED** to appear at the place, date and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION

DATE AND TIME

REQUEST FOR WRIT OF SUBPOENA DUCES TECUM

[] **YOU ARE COMMANDED** to produce and permit inspection and copying of the following documents or objects for the ____ trial, ____ deposition, or ____ hearing (state type) _____ at the place, date and time specified below (list documents or objects) pursuant to the provisions of Article 1354 et. seq. of the LA Code of Civil Procedure.

NOTICE: ARTICLE 1354 APPEARS IN FULL ON BACK OF SERVICE COPY

PLACE

DATE AND TIME

**CHELSEY RICHARD NAPOLEON, CLERK
CIVIL DISTRICT COURT**

Issued at the request of, and,
Fees and cost guaranteed by undersigned

ATTORNEY

Attorney's signature

**ATTORNEYS
NAME & BAR NUMBER**

ADDRESS

&

TELEPHONE NUMBER

File original and two copies with Clerk
fourth copy for Attorney's File

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Louisiana Code of Civil Procedure Article 1354: Subpoena duces tecum

A. A subpoena may order a person to appear and produce at the trial, deposition, or hearing, books, papers, documents, any other tangible things, or electronically stored information, in his possession or under his control, if a reasonably accurate description thereof is given. A subpoena may specify the form or forms in which electronically stored information is to be produced. A party or an attorney requesting the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or cost on a person subject to that subpoena. The court in which the action is pending in its discretion may vacate or modify the subpoena if it is unreasonable or oppressive. Except when otherwise required by order of the court, certified copies, extracts, or copies of books, papers, and documents may be produced in obedience to the subpoena duces tecum instead of the originals thereof. If the party or attorney requesting the subpoena does not specify that the named person shall be ordered to appear, the person may designate another person having knowledge of the contents of the books, papers, documents, other things, or electronically stored information, to appear as his representative.

B. A person commanded to respond to a subpoena duces tecum may within fifteen days after service of the subpoena or before the time specified for compliance, if such time is less than fifteen days after service, send to the party or attorney designated in the subpoena written objections, with supporting reasons, to any or all of the requests, including objection to the production of electronically stored information in the form or forms requested. If objection is so made, the party serving the subpoena may file a motion to compel compliance with the subpoena and may move for sanctions for failure to reasonably comply.

C. A person responding to a subpoena to produce books, papers, or documents shall produce them as they are kept in the usual course of business or may organize and label them to correspond with the categories in the demand.

D. If a subpoena does not specify the form or forms for producing electronically stored information, a person responding to a subpoena may produce the information in a form or forms in which the person ordinarily maintains it or in a form or forms that are reasonably useable.

E. A person responding to a subpoena need not produce the same electronically stored information in more than one form.

F. A person responding to a subpoena need not produce books, papers, documents, or electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel production or to quash, the person from whom production is sought shall show that the information sought is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order production from such sources if the requesting party shows good cause. The court may specify conditions, including an allocation of the costs, for the production.

G. When the person subpoenaed is an adverse party, the party requesting the subpoena duces tecum may accompany his request with a written request under oath as to what facts he believes the books, papers, documents, electronically stored information, or tangible things will prove, and a copy of such statement shall be attached to the subpoena. If the party subpoenaed fails to comply with the subpoena, the facts set forth in the written statement shall be taken as confessed, and in addition the party subpoenaed shall be subject to the penalties set forth in Article 1357.

H. Subpoenas duces tecum shall reproduce in full the provisions of this Article.

Amended by Acts 1978, No. 593, §1; Acts 2008, No. 824, §2, eff. Jan. 1, 2009.

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RETURN FOR PERSONAL SERVICE

On the _____ day of _____
20____ served a copy of the within

On _____

in person _____

Return same day

Deputy Sheriff of Orleans Parish

DOMICILIARY SERVICE

On the _____ day of _____
20____ served a copy of the within _____

On _____

by leaving same at _____
domiciled or usual place of abode _____

_____ in the
hands of a person of suitable age and discretion,
residing therein as a member of _____

_____ domiciliary
establishment, whose name and other facts
connected, with this service I learned by
interrogating the said _____

_____ the said _____

_____ being absent from _____

_____ domicile at time of said service

Return same day

Deputy Sheriff of Orleans Parish

_____ **ENTERED** _____

PAPER

RETURN

_____/_____/_____

SERIAL NO.

DEPUTY

PARISH

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