STATE OF CALIFORNIA
DMV
DEPARTMENT OF MOTOR VEHICLES

A Public Service Agency

LICENSING OPERATIONS DIVISION

SUBPOENA ☐ DUCES TECUM

AT THE REQUEST OF RESPONDENT

In the Matter of: }
}
}
Respondent }

Driver License No.:
Bk. or Arrest No.:
Citation or Accident Date:
☐ Financial Responsibility No.:

☐ Administrative Per Se Hearing
☐ Other:

THE PEOPLE OF THE STATE OF CALIFORNIA SEND GREETINGS TO:

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:	Date:	Time:
Telephone Number:	ext.	☐ Room:
Address:		

2. **AND YOU ARE ORDERED TO:**
   - ☐ respond by telephoning the above number at the date and time listed above.
   - ☐ be available for a call by telephone at this number : ext. , at the date and time listed above.
   - ☐ appear in person.
   - ☐ appear in person and to produce the records described in the accompanying declaration and include an affidavit of the custodian of records in compliance with §§1560, 1561 and §1562 of the Evidence Code (EC).
   - ☐ produce the records described in the accompanying declaration and include an affidavit of the custodian of records in compliance with §§1560, 1561 and §1562 EC. If an affidavit from the custodian of records is produced, you are **not** required to appear in person or by telephone as indicated above.
   - ☐ respond by telephoning the above number at the date and time listed above, and to produce, prior to the date of the hearing, the records described in the accompanying declaration and include an affidavit of the custodian of records in compliance with §§1560, 1561 and §1562 EC.
   - ☐ be available for a call by telephone at this number: ext. , at the date and time listed above, and to produce, prior to the date of the hearing, the records described in the accompanying declaration and include an affidavit of the custodian of records in compliance with §§1560, 1561 and §1562 EC.

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 following person who requested this subpoena, prior to the date on which you are to testify:

   Name: Telephone Number: ext.

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. The subpoena must be served with a copy of an affidavit showing good cause for the production of the individual, matters and/or things described in the subpoena. Use of this subpoena without an affidavit or 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: April 7, 2004

See reverse or attached for proof of service

JOHN MCCLELLAN, DEPUTY DIRECTOR
LICENSING OPERATIONS DIVISION
DEPARTMENT OF MOTOR VEHICLES

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

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A Public Service Agency

LICENSING OPERATIONS DIVISION

AFFIDAVIT IN SUPPORT OF SUBPOENA ☐ DUCES TECUM

AT THE REQUEST OF RESPONDENT

In the Matter of:	}	Driver License No.:
	}	Bk. or Arrest No.:
	}	Citation or Accident Date:
	}	☐ Administrative Per Se Hearing
	}	☐ Financial Responsibility No.:
_____	}	☐ Other:

A subpoena must be served with a copy of an affidavit showing good cause for the production of the individual, matters and/or things described in the subpoena, specifying the exact matters or things desired to be produced, setting forth in full detail the materiality of these items to the issues involved in the case and stating that the witness has the desired matters of things in his or her possession or under his or her control.

DECLARATION

I, _____, hereby declare the following to be true:

On _____, at the hour of _____ ☐ AM ☐ PM, in the City of _____, California _____, there is scheduled a hearing involving _____, DL# _____ and the Department of Motor Vehicles. In the furtherance of that proceeding, I am requesting the following witness(s)/document(s):

(Use additional pages, if necessary, and attach them to this subpoena.)

If called to testify regarding the above requested individuals/items and sworn as a witness, I would testify of my own personal knowledge that each requested item is material to the presentation of a full defense of the matter at hand as noted above and is known to be in the possession or under the control of the individual named.

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

Date:_____

_____
Signature

_____
Printed Name: Respondent/Representative

_____
Title

_____
Address

_____
Telephone

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Name of Witness: _____ Driver License No.: _____

PROOF OF SERVICE OF SUBPOENA

PERSONAL SERVICE

1. I served this Subpoena ☐ Duces Tecum and supporting Declaration 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 ☐ Duces Tecum and supporting Declaration for service on (*date*):

3. Person serving:

   Printed Name of Server:

   Address:

   Telephone number: ext.

   County of registration and number (*if applicable*):

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 ☐ Duces Tecum and supporting Declaration by mail as follows:

B. Addressee's name:

C. Address:

D. Date of mailing:

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:

Title:

Date: Signature of Server **X** _____

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