

UNITED STATES DISTRICT COURT

DISTRICT OF IDAHO

UNITED STATES OF AMERICA)
Plaintiff,)
vs.)
)
)
)
)
Defendant.)
_____)

Case No.: CR

EX PARTE APPLICATION
FOR ISSUANCE OF SUBPOENA
AND PAYMENT OF COSTS AND FEES

(FILED UNDER SEAL)

SAMPLE

COMES NOW the defendants by and through their attorney of record, and pursuant to the Due Process Clause of the Fifth Amendment, the Compulsory Process Clause of the Sixth Amendment, and Federal Rules of Criminal Procedure Rule 17(b), hereby applies for an ex parte order issuing subpoenas ad testificandum for the person(s) named below, and ordering that costs incurred by the process and the fees of the witnesses so subpoenaed shall be paid in the same manner in which similar costs and fees are paid for a witness subpoenaed on behalf of the government:

XXXXXXXXXXXXXXXXXXXX

XXXXXXXXXXXXXXXXXXXX

Attorney for Defendant

UNITED STATES DISTRICT COURT

DISTRICT OF IDAHO

UNITED STATES OF AMERICA)
Plaintiff,) Case No.: CR
vs.)
) EX PARTE ORDER FOR ISSUANCE
) OF SUBPOENA AND PAYMENT OF
) COSTS AND FEES
)
Defendant .) **(FILED UNDER SEAL)**
_____)

Upon a reading of the ex parte application of the defendant(s) for issuance of subpoenas and payment of costs and fees; and, defendants having previously shown that they are not able to afford counsel or to pay costs and fees; and defendants' appointed counsel having satisfactorily shown to the Court that the presence of the witnesses named above is necessary to an adequate defense,

IT IS HEREBY ORDERED that pursuant to Rule 17(b) and (c) of the Federal Rules of Criminal Procedure, the subpoenas for the above-named persons be issued and delivered to the U.S. Marshal for service, and that costs incurred by the process and the fees of the witnesses so subpoenaed shall be paid in the manner in which similar costs and fees are paid in case of a witness subpoenaed on behalf of the government.

DATED this _____ day of _____, 20_____.

UNITED STATES DISTRICT JUDGE