

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT
for the
WESTERN DISTRICT OF MICHIGAN

PHILIP C. BELLFY

Plaintiff

MICHAET T. EDWARDS
v.
JOCELYN K. FABRE

Defendant

Civil Action No. 2:23-CV-51

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

TRACI SWAN

To:

(Name of person to whom this subpoena is directed)

Production: YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material: SEE ATTACHMENT

Place: Date and Time:

Inspection of Premises: YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place: Date and Time:

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 05/31/2023

CLERK OF COURT



OR

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (name of party) , who issues or requests this subpoena, are:

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. 2:23-CV-51

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this subpoena for *(name of individual and title, if any)* _____
on *(date)* _____ .

I served the subpoena by delivering a copy to the named person as follows: _____

_____ on *(date)* _____ ; or

I returned the subpoena unexecuted because: _____
_____ .

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also
tendered to the witness the fees for one day’s attendance, and the mileage allowed by law, in the amount of
\$ _____ .

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00 _____ .

I declare under penalty of perjury that this information is true.

Date: _____

Server’s signature

Printed name and title

Server’s address

Additional information regarding attempted service, etc.:

NOTICE TO PARTIES
REGARDING CIVIL SUBPOENAS

The Clerk's Office has issued the attached subpoena(s) at your request and in accordance with Rule 45 of the Federal Rules of Civil Procedure. **IT IS YOUR RESPONSIBILITY** to ensure completion and service of the subpoena is done in accordance with Rule 45. Please read the following rule carefully and seek legal advice if you have any questions interpreting the rule. The Clerk's Office is not authorized to dispense legal advice.

Rule 45. Subpoena

(b) SERVICE

(1) *By Whom and How; Tendering Fees.* Any person who is at least 18 years old and not a party may serve a subpoena. Serving a subpoena requires delivering a copy to the named person and, if the subpoena requires that person's attendance, tendering the fees for 1 day's attendance and the mileage allowed by law. Fees and mileage need not be tendered when the subpoena issues on behalf of the United States or any of its officers or agencies.

(2) *Service in the United States.* A subpoena may be served at any place with the United States.

(3) *Service in a Foreign Country.* 28 U.S.C. § 1783 governs issuing and serving a subpoena directed to a United States national or resident who is in a foreign country.

(4) *Proof of Service.* Proving service, when necessary, requires filing with the issuing court a statement showing the date and manner of service and the names of the persons served. The statement must be certified by the server.

*The rule above is current as of 12/1/13.

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

PHILIP C. BELLFY, PhD,
Plaintiff, in pro per

Case No. 2:23-cv-51

Hon. Paul L. Maloney
Magistrate Judge Maarten Vermaat

v.

MICHAEL T. EDWARDS and
JOCELYN K. FABRE,
Defendants.

Philip C. Bellfy, PhD Plaintiff, in pro per 5759 S. Ridge Rd. Sault Ste. Marie, MI 49783 (906) 632-8060 Phil.bellfy@gmail.com	Ms. Traci Swan Court Administrator/Magistrate. 2175 Shunk Road Sault Ste. Marie MI 49783 tswan@saulttribe.net 906-635-7747
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**SUBPOENA ATTACHMENT -- PLAINTIFF'S DEMAND FOR DOCUMENT
PRODUCTION IN THE CASE CITED ABOVE**

Pursuant to FRCP 34(a), Plaintiff requests that Ms. Swan, Sault Tribe Court Administrator, provide him with the following, sent to his email account (as given above) as emails "forwarded" from the Court's Electronically Stored Information system, preserving the metadata embedded in those emails, as required by law:

- (1) - the email that Mr. Edwards used to send his "Notice of Hearing" to the ST Court in its Case # GCV-21-02;
- (2) the email the ST Court sent me a properly "date-stamped" Notice of Hearing (as an attachment [presumably]) for its Case # GCV-21-02, and
- (3) the email from the ST Court giving me the zoom access code, etc., for the alleged Hearing in its Case # GCV-21-02.

Dated: 05/26/2023

By:



Philip C. Bellfy, PhD
Plaintiff, in pro per
5759 S. Ridge Rd.
Sault Ste. Marie, MI 49783
phil.bellfy@gmail.com
906-632-8060