



**REQUIRED STATEMENT ATTACHMENT FOR ISSUANCE OF SUBPOENA or
SUBPOENA DUCES TECUM IN DMV HEARINGS**

Pursuant to 1 CCR 211-2 (5.5), if the subpoena being issued is for anyone other than the officer who signed the Express Consent Affidavit, a separate attached statement must also be submitted. This attached statement must provide detailed responses to each of the requirements listed below.

- 5.5.1 The nature of the expected testimony or evidence;**
- 5.5.2 Why such testimony or evidence is relevant and necessary and not cumulative of other evidence;**
- 5.5.3 Why the provision of the evidence is no unduly burdensome on the entity or witness subpoenaed;**
- 5.5.4 Why compliance with the subpoena will not unreasonably delay or prolong the proceedings; and**
- 5.5.5 That the evidence sought is not otherwise available to the Hearing Officer**
- 5.6 When multiple witnesses or documents are requested for a single hearing, this attached supporting statement must clearly delineate why each witness or document is necessary, and why the evidence sought is not cumulative.**

Pursuant to 1 CCR 211-2(5.7), every request for a subpoena must be signed by the Respondent or the Respondent's attorney:

- 5.7 Every request for a subpoena (excluding that for the officer who signed the Affidavit and Notice of Revocation for hearings under C.R.S §42-2-126) shall be signed by the Respondent or the Respondent's attorney. This signature constitutes an affirmation that the request is in compliance with C.R.C.P. 26(g)(2). Any request that lacks this affirmation will be denied.**

Pursuant to 1 CCR 211-2(5.4), any request for a *subpoena duces tecum* must specifically identify each document to be produced.

Failure to comply with the above provisions may result in your Subpoena Request being denied. You must use additional pages to this attachment.

In the matter of the driving privilege of:

Respondent: _____ Case Number _____

Hearing Date: _____ Time: _____