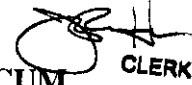


United States District Court
District of South Dakota
Western Division

FILED ²⁷

MAY 29 2009


CLERK

UNITED STATES OF AMERICA
v.

SUBPOENA DUCES TECUM

JOHN GRAHAM A/K/A JOHN BOY GRAHAM, and
VINE RICHARD MARSHALL, A/K/A RICHARD
VINE MARSHALL, A/K/A DICK MARSHALL

Case Number: CR. 08-50079-01 & 02

Type of Case	<input type="checkbox"/> CIVIL <input checked="" type="checkbox"/> CRIMINAL	SUBPOENA FOR	<input type="checkbox"/> PERSON <input checked="" type="checkbox"/> DOCUMENT(S) or OBJECT(S)
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To: Crest View Care Center
420 Gordon Avenue
Chadron, NE 69337
Fax: (308) 432-4535


YOU ARE HEREBY DIRECTED to provide the following records by May 28, 2009 to:

Michaele Sanders Hofmann
Costello Porter Hill Heisterkamp Bushnell & Carpenter
P. O. Box 290
704 St. Joseph Street
Rapid City, SD 57701
(605) 343-2410

- A. You are to produce any and all medical records concerning diagnosis, treatment and/or medical services provided to Theda Clarke, D.O.B. August 25, 1924, SSN 520-22-2155, now in your custody or under your control.

IF YOU HAVE NO DOCUMENTS RESPONSIVE TO THIS SUBPOENA, YOU SHALL NOTIFY MICHAELE SANDERS HOFMANN IN WRITING OF THAT FACT BY NO LATER THAN MAY 28, 2009

This subpoena shall remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

U.S. Magistrate or Clerk of Court	DATE
JOSEPH HAAS, CLERK	May 15, 2009
(By) Deputy Clerk 	

This Subpoena is issued upon application of the:

Plaintiff Defendant U.S. Attorney

Questions may be addressed to:

Michaele Sanders Hofmann
 Costello Porter Hill Heisterkamp Bushnell & Carpenter
 PO Box 290
 704 St. Joseph St.
 Rapid City, SD 57709
 343-2410
 Email: mhofmann@costelloporter.com

RETURN OF SERVICE⁽¹⁾

RECEIVED BY SERVER	Date 5-20-09	Place RC, SD
SERVED	Date 5-20-09	Place Chadron, NB

Served on (Print Name) * Charley Pile (cust. of records)	Fees and Mileage Tendered to Witness(2) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Amount \$ _____
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Served By (Print Name) Paul Thiele	Title DUSM
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STATEMENT OF SERVICE FEES

Travel NC	Services NC	Total NC
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DECLARATION OF SERVER⁽²⁾

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 5-20-09
date

Paul Thiele
Signature of Server

RC, SD
Address of Server

Additional Information

* Served via fax to Charley Pile at 308-432-4535
(PL# 308-432-3355.)

- (1) As to who may serve a subpoena and the manner of its service see Rule 17(d), Federal Rules of Criminal Procedure, or Rule 45(c), Federal Rules of Civil Procedure.
 (2) "Fees and mileage need not be tendered to the deponent upon service of a subpoena issued on behalf of the United States or an officer or agency thereof (Rule 45(c), Federal Rules of Civil Procedure; Rule 17(d), Federal Rules of Criminal Procedure) or on behalf of certain indigent parties and criminal defendants who are unable to pay such costs (28 USC 1825, Rule 17(b) Federal Rules of Criminal Procedure)".