

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
NORTHERN DIVISION**

RONITA WADE,)	
Plaintiff,)	
)	
v.)	
)	CIVIL ACTION NO. 2:19-cv-623-KD-MU
)	
DARRIO MELTON, both in his individual)	
And official capacity as Mayor of the City)	
Of Selma; and THE CITY OF SELMA)	
Defendants.)	

ORDER

This matter is before the Court on Plaintiff Ronita Wade’s Objection and/or Motion to Quash Subpoenas. (Doc. 40).¹ The subpoenas are directed at “Tracy Lollis, FBI Mobile Office; Joseph Simmon, FBI Mobile Office; Representative/Custodian of Records, FBI Mobile Office; Representative/Custodian of Records, FBI Montgomery Office; Representative/Custodian of records, FBI Selma Office; Jim Murry, Alabama Attorney General’s Office; Representative/Custodian of Records, Alabama Attorney General’s Office; and Representative/Custodian of Records, Examiners of Public Accounts.” (Doc. 40 at 1). The subpoenas are not directed at Plaintiff Ronita Wade.

Generally, “a party does not have standing to quash a subpoena served on a third party unless the party seeks to quash based on a personal right or privilege relating to the documents being sought.” Bahrami v. Maxie Price Chevrolet-Oldsmobile Inc., 2013 WL 3800336, at *2 (N.D. Ga. June 19, 2013) (quoting Maxwell v. Health Ctr. of Lake City, Inc., 2006 WL 1627020, at *2 (M.D. Fla. June 6, 2006) (citations omitted)). In other words, “standing exists if the party alleges

¹ In light of this Order, the Court’s previous order (Doc. 41) requiring Defendants reply to Plaintiff’s motion (Doc. 40) is **WITHDRAWN**.

a ‘personal right or privilege’ with respect to the subpoenas.” [Auto–Owners Ins. Co. v. Southeast Floating Docks, Inc.](#), 231 F.R.D. 426, 429 (M.D. Fla. 2005) (citing [Brown v. Braddick](#), 595 F.2d 961, 967 (5th Cir. 1979)²). [Accord Rice v. Reliastar Life Ins. Co.](#), 2011 WL 4596118, at *2 (M.D. Fla. Oct. 3, 2011) (“standing exists if the party alleges a ‘personal right or privilege’ with respect to the subpoenas.”). Here, Wade has not argued that a “personal right or privilege” exists necessary to confer standing. Accordingly, Plaintiff Ronita Wade’s Objection and/or Motion to Quash Subpoenas (Doc. 40) is **DENIED** for lack of standing.³

DONE and ORDERED this the **18th** day of **February 2021**.

/s/ Kristi K. DuBose
KRISTI K. DuBOSE
UNITED STATES DISTRICT JUDGE

² In [Bonner v. City of Prichard](#), 661 F.2d 1206, 1209 (11th Cir.1981) (*en banc*), the Eleventh Circuit adopted as binding precedent all of the decisions of the former Fifth Circuit handed down prior to the close of business on September 30, 1981.

³ As to Wade’s objection based on relevancy, the Court preliminarily determines (subject to reconsideration) that information pertaining to a criminal investigation that was in process at the time Wade was allegedly terminated *because of* an ongoing criminal investigation is relevant.