

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION**

IN RE DOUGLAS H KATES, JR

CIVIL ACTION NO. 3:15-mc-00007

MAGISTRATE JUDGE HAYES

MEMORANDUM ORDER

Before the undersigned Magistrate Judge is a Motion “for the Issuance of Article 66 Subpoena,” [doc. #1], filed by *pro se* Movant Douglas H. Kates, Jr. Movant asks the Court, pursuant to LA. CODE CRIM. PROC. art. 66, to order the Clerk of Court to issue subpoenas so that he can obtain various documents “relevant to ongoing criminal and civil litigations” in state court. *Id.* at 1.

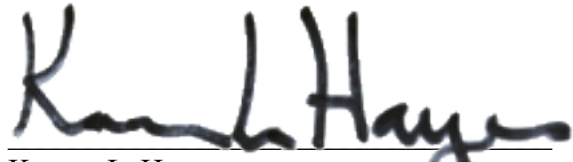
Movant’s invocation of LA. CODE CRIM. PROC. art. 66 is manifestly erroneous. Article 66 authorizes Louisiana state courts, upon motion of the attorney general or district attorney, to issue subpoenas ordering persons to appear for questioning by the attorney general or district attorney. The provision clearly does not apply here. Aside from that, and more importantly, the instant Motion is not properly before the Court. Federal Rule of Civil Procedure 45(a)(2) states that a “subpoena must issue from the court where the action is pending.” Movant’s subpoena request is not related to any pending action in this Court.

Accordingly, **IT IS ORDERED** that Movant’s request for the issuance of subpoenas, [doc. # 1], is **DENIED**.

IT IS FURTHER ORDERED that the Clerk of Court close this miscellaneous

proceeding.

In Chambers, Monroe, Louisiana, this 27th day of March, 2015.


KAREN L. HAYES
UNITED STATES MAGISTRATE JUDGE