

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

“ROCKY” ROQUE DE LA FUENTE GUERRA,

Plaintiff,

vs.

1:16-cv-00393-RB-LF

MAGGIE TOULOUSE OLIVER,  
New Mexico Secretary of State,

Defendant.

**ORDER DENYING MOTIONS TO QUASH  
SUBPOENAS AND FOR PROTECTIVE ORDERS**

THIS MATTER comes before the Court on defendant’s Motion to Quash Subpoena of Kari Fresquez and for a Protective Order (Doc. 44) and defendant’s Motion to Quash Subpoena of Shawn Wilmoth and for a Protective Order (Doc. 46). For the reasons discussed at the hearing held on May 2, 2017, the Court finds that the motions are not well-taken and they will be DENIED.

IT IS THEREFORE ORDERED that the deposition of Kari Fresquez will take place on the date to which the parties originally agreed: May 4, 2017 at 3:30 p.m. The deposition will be limited to two hours.

THE COURT FINDS that it lacks authority to quash the subpoena of Shawn Wilmoth. A motion to quash must be filed in “the district where compliance is required,” FED. R. CIV. P. 45(d)(3)(A), which in this case is Philadelphia, PA.

  
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Laura Fashing  
United States Magistrate Judge