

STATE OF INDIANA)
)ss:
COUNTY OF CARROLL)

STATE OF INDIANA)
)
vs.)
)
RICHARD M. ALLEN)

IN THE CARROLL CIRCUIT COURT

CAUSE NO. 08C01-2210-MR-000001

MOTION TO QUASH SUBPOENA

Comes now the Defendant, Richard Allen, by Counsel, Bradley A. Rozzi, and pursuant to Rule 45(B) of the Indiana Rules of Trial Procedure, requests that this Honorable Court quash the Subpoena issued by Carroll County Prosecutor, Nicholas McLeland, on or about the 20th day of April, 2023, in the above captioned matter. In support of said Motion, Defendant Allen states as follows:

1. On or about April 20, 2023, Defendant Allen was served with a Motion for Leave of Court to Subpoena Third-Party Records;
2. Attached to said Motion was a Subpoena Duces Tecum directed to CVS Headquarters;
3. More specifically, said Subpoena referenced the following documents and records to be produced:
 - (a) The work records for Richard Allen.
 - (b) Copies of all work records for Richard Allen, including attendance records for those days.
 - (c) Personal files for Richard Allen
4. The Subpoena is unreasonable and oppressive for the following reasons:
 - a. The records are irrelevant and not likely to lead to the discovery of admissible evidence; and
 - b. The files may contain information protected under 45 C.F.R. 164, et al.
5. Defendant Allen respectfully requests that this Court issue an Order quashing the Subpoena and for all other just and proper relief in the premises.

HILLIS, HILLIS,
ROZZI & DEAN, LLC
ATTORNEYS AT LAW
200 FOURTH ST.
LOGANSPORT, IN 46947
(574) 722-4560
FAX (574) 722-2659

JOHN R. HILLIS
I.D. #7533-09
BRADLEY A. ROZZI
I.D. #23365-09
BRADEN J. DEAN
I.D. #31941-34

Respectfully Submitted,

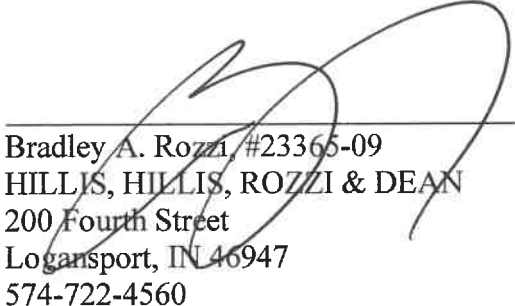


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Bradley A. Rozzi, #23365-09
HILLIS, HILLIS, ROZZI & DEAN

CERTIFICATE OF SERVICE

I certify that I have served a copy of this document by the County e-filing system upon the Carroll County Prosecutor's Office and Andrew J. Baldwin the 3rd day of May, 2023.



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Bradley A. Rozzi, #23365-09
HILLIS, HILLIS, ROZZI & DEAN
200 Fourth Street
Logansport, IN 46947
574-722-4560

HILLIS, HILLIS,
ROZZI & DEAN, LLC
ATTORNEYS AT LAW
200 FOURTH ST.
LOGANSPORT, IN 46947
(574) 722-4560
FAX (574) 722-2659

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