

EX PARTE	§	IN THE DISTRICT COURT
	§	TARRANT COUNTY, TEXAS
BARTON R. GAINES	§	213TH JUDICIAL DISTRICT

Applicant's Notice Of Deposition On Written Questions for **Melissa G. Adams**

To: **Melissa G. Adams**, 244 Siesta Ct, Granbury, TX 76048-4314 , (682) 936-2484,

Emails missygail1966@gmail.com mla5kids@gmail.com rdagcf@gmail.com

tammyl0@yahoo.com jollyranchercla@yahoo.com afirewalker13@yahoo.com

afirewalker13@att.net

1. Please take notice that, under *Texas Rule of Civil Procedure* 200.1, Applicant, Barton R. Gaines, will take the deposition on written questions of **Melissa G. Adams** on (date): _____, at (time): _____, at 401 W. Belknap St., Ft. Worth, TEXAS 76196, in the aforementioned Judicial District Court.
2. The deposition will continue from day to day until completed.
3. The deposition will be taken by the 213th Judicial District Court's Court Reporter, Shelia Walker.

Respectfully submitted,

By: _____
BARTON R. GAINES, Pro Se
244 Siesta Court
Granbury, Texas 76048
Tel.: 682-500-7326
Email bartongaines@gmail.com

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The State of Texas Subpoena Deposition

To: Any sheriff or constable of the State of Texas or other person authorized to serve and execute subpoenas as provided in Texas Rule of Civil Procedure 176.5.

You are commanded to summon **Melissa G. Adams**, who may be found at **244 Siesta Ct, Granbury, TX 76048-4314**, (682) 936-2484, Emails **missygail1966@gmail.com**, **m1a5kids@gmail.com**, **rdagcf@gmail.com**, **tammyl0@yahoo.com**, **jollyranchercla@yahoo.com**, **afirewalker13@yahoo.com**, **afirewalker13@att.net**, or wherever found, to appear at 401 W. Belknap St., Ft. Worth, TEXAS 76196, in the aforementioned Judicial District Court, on (date): _____, at (time): _____, to attend and give testimony at a deposition in this case on behalf of the Applicant, and to remain in attendance from day to day until lawfully discharged.

Duties of Person Served with Subpoena. You are advised that under Texas Rule of Civil Procedure 176, a person served with a subpoena has certain rights and obligations. Rule 176.6 provides the following:

(a) Compliance required. Except as provided in this subdivision, a person served with a subpoena must comply with the command stated therein unless discharged by the court or by the party summoning such witness. A person commanded to appear and give testimony must remain at the place of deposition, hearing, or trial from day to day until discharged by the court or by the party summoning the witness.

(b) Organizations. If a subpoena commanding testimony is directed to a corporation, partnership, association, governmental agency, or other organization, and the matters on which examination is requested are described with reasonable particularity, the organization must designate one or more persons to testify on its behalf as to matters known or reasonably available to the organization.

(c) Production of documents or tangible things. A person commanded to produce documents or tangible things need not appear in person at the time and place of production unless the person is also commanded to attend and give testimony, either in the same subpoena or a separate one. A person must produce documents as they are kept in the usual course of business or must organize and label them to correspond with the categories in the demand. A person may withhold material or information claimed to be privileged but must comply with Rule 193.3. A nonparty's production of a document authenticates the document for

use against the nonparty to the same extent as a party's production of a document is authenticated for use against the party under Rule 193.7.

(d) Objections. A person commanded to produce or permit inspection or copying of designated documents and things may serve on the party requesting issuance of the subpoena - before the time specified for compliance - written objections to producing any or all of the designated materials. A person need not comply with the part of a subpoena to which objection is made as provided in this paragraph unless ordered to do so by the court. The party requesting the subpoena may move for such an order at any time after an objection is made.

(e) Protective orders. A person commanded to appear at a deposition, hearing, or trial, or to produce and permit inspection and copying of designated documents and things, and any other person affected by the subpoena, may move for a protective order under Rule 192.6(b) - before the time specified for compliance - either in the court in which the action is pending or in a district court in the county where the subpoena was served. The person must serve the motion on all parties in accordance with Rule 21 a. A person need not comply with the part of a subpoena from which protection is sought under this paragraph unless ordered to do so by the court. The party requesting the subpoena may seek such an order at any time after the motion for protection is filed.

(f) Trial subpoenas. A person commanded to attend and give testimony, or to produce documents or things, at a hearing or trial, may object or move for protective order before the court at the time and place specified for compliance, rather than under paragraphs (d) and (e).

Contempt. Failure by any person without adequate excuse to obey a subpoena served on the person may be deemed a contempt of the court from which the subpoena is issued or a district court in the county in which the subpoena is served, and may be punished by fine or confinement or both. Tex. R. Civ. P. 176.8(a).

DO NOT FAIL to return this writ to [identify court in which case is pending] with either the attached officer's return showing the manner of execution or the witness's signed memorandum showing that the witness accepted the subpoena.

' This subpoena was issued at the request of Applicant Barton R. Gaines, whose attorney of record is Barton R. Gaines, 244 Siesta Court, Granbury, Texas, 76048, Tel: 682-500-2753. You may contact Barton R. Gaines's attorney to arrange another time and date.

ISSUED on _____, 2021.

By: _____
Deputy District Clerk
_____, District Clerk
Tarrant Co., Tex.
401 W. Belknap
Ft. Worth, Texas. 76196

Return of Service of Subpoena

I, _____, delivered a copy of this subpoena to **Melissa G. Adams** in person at _____, in _____, County, Texas, on _____, 2021, at _____ o'clock __.m., and tendered to the witness a fee of \$_____ in cash.

I, _____, was unable to deliver a copy of this subpoena to **Melissa G. Adams** for the following reasons: _____

By Deputy:_____

Sheriff/Constable_____

Tarrant County, Texas

Acceptance of service of subpoena by Witness under Texas Rule of Civil Procedure 176

I accept service of this subpoena.

Witness

Date

FEE FOR SERVICE OF SUBPOENA: \$ _____

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Deposition on Written Questions for Melissa G. Adams

(1. Get Brett to find Bart?)

Did you put Brett Tucker up to find out where Bart was, going over there, getting his cell phone, and calling 911 on it and telling the police to come get him?

(2. How did you find out Bart was wanted?)

If you were the one who put Brett up to finding Bart and calling 911 on his cell phone, how did you find out Bart was wanted in the double attempted homicide / robbery? The cops said Mindy's mom, Jerri, called them, the cops, and told them that Bart confessed to them, Mindy and Tarah, that he (Bart) committed the double attempted homicide / robbery, and that if they, Mindy and Tarah, told, he, Bart, threatened, to kill them, Mindy and Tarah, and their families, then go to Mexico. Did Jerri call you and tell you? Did Jason call you? Did Brett?

(3. Bart's storage?)

After Bart was arrested was his, Bart's, storage building broken into and, if it was, how did it look and what did you do? That is, did you find any of Jason's things and, if you did, were some of the things you found pictures of Jason Tucker, his older brother, Jeremy Tucker, and their friend, Jake Hardin, with a gun, pistol, and marijuana, posing for and throwing up gang signs to the camera?

(4. Give the pictures to Westfall?)

If you did, what did you do with them? Did you give them to Bart's attorney, Greg Westfall, and if you did, what did he do with them? That is, did he give them to the district attorney?

(5. Daniel? Daniel who?)

At Bart's trial you testified the last time you saw him, Bart, that he, Bart, had a friend with him, whom he, Bart, introduced to you only as Daniel. To the best of your recollection, was this the same Daniel that Bart got in trouble with or a different Daniel?

(6. His coworker Daniel?)

If a different Daniel, have you since learned or heard Bart say this Daniel wasn't the Daniel he got in trouble with, but the Daniel whom he worked with and, if yes, when? For example, in times of recent or past?

(7. What time did Bart get home?)

At Bart's trial you said that the next time you saw Bart after the Friday you talked to him on the phone when you and Corey were eating at the Chinese restaurant was also the last time you saw him before he was arrested mentioned above, that is, with Daniel. You also said that he woke up about 10 a.m. Westfall wrote in his timeline that the night before Bart was arrested that Corey got up to see who it was. And that it was Bart. And that you later on got up to check on him and he was asleep in his bed, and some friend of his, whom he later referred to as Daniel, was asleep on the floor. You also said that Bart woke up around 10 a.m. To the best of your knowledge what time did Bart get home? Or how long did Bart normally sleep?