

Case Nos. C-213-W011921-0836979-B & C-213-W011922-0836985-B

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

Applicant's Notice Of Deposition On Written Questions for **Ann B. Wright**

To: **ANN B. WRIGHT**, 4901 Ranch View Rd, Fort Worth, TX 76109-3114, (817) 738-0531,

Email: **wright4901@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 **ANN B. WRIGHT** on \_\_\_\_\_, at \_\_\_\_\_, 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 **Ann Wright**, who may be found at **4901 Ranch View Rd, Fort Worth, TX 76109-3114, (817) 738-0531, Email: wright4901@att.net**, or wherever found, to appear at 401 W. Belknap St., Ft. Worth, Tarrant County, 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 **Ann Wright** 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 [name of witness] 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.

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Witness

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Date

FEE FOR SERVICE OF SUBPOENA: \$ \_\_\_\_\_

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## Deposition on Written Questions for Ann B. Wright

### (1. Why did respondent abandon the forfeiture proceedings?)

On 3-22-02 Kim Minick initiated for respondent "notice of seizure and intended forfeiture" proceedings against Barton R. Gaines, or Bart, for his truck, "One 2000 Chevrolet pickup, VIN 1GEC14V6YZ368599". On 4-15-02 Ann Wright filed a motion for nonsuit on behalf of respondent, and the return of Bart's truck not to him, but his grandmother, Gail Inman. Were Minick and Wright questioning whether the truck "was seized by peace officers of respondent of Texas in the course of their duties and in a lawful manner [?]" In other words, were they having trouble believing "[o]fficers located [Bart's] vehicle parked in front of 1532 Eastview Street" by chance? After all, the truck was respondents as a matter of law.