<u>FORM F – PRISONER/MATERIAL WITNESS PROCESS</u>:

PRODUCING STATE – ORDER GRANTING PETITION FOR INTERSTATE RENDITION OF A MATERIAL WITNESS

IN THE MATTER OF PROCEEDINGS TO COMPEL THE ATTENDANCE OF [PRISONER'S NAME] AS A WITNESS FOR THE [DEFENDANT/PROSECUTION] IN THE CRIMINAL PROSECUTION IN THE STATE OF [REQUESTING STATE].

ORDER GRANTING PETITION FOR INTERSTATE RENDITION OF A MATERIAL WITNESS

This matter came before the Court on the **[DATE]** day of **[MONTH]**, 2016, for a hearing upon a Petition for Interstate Rendition of a Material Witness filed on **[DATE FILED]**. by the State of **[PRODUCING STATE]** on behalf of the State of **[REQUESTING STATE]**, pursuant to the Uniform Act to secure the attendance of witnesses from without a state in criminal proceedings. **[PRODUCING STATE] MATERIAL WITNESS STATUTES]**. After considering this petition and the accompanying documents, the Court concludes that good cause has been demonstrated for setting a hearing upon the instant petition;

This petition was accompanied by a judicial certificate of attendance of an out-of-state witness executed by the Honorable [JUDGE], Judge of the [COURT] Court of the State of [REQUESTING STATE], County of [COUNTY]. In addition, this judicial certificate is accompanied by the affidavit of [AFFIANT], the [TITLE—DEFENSE ATTORNEY/PROSECUTOR] in the [REQUESTING STATE] matter and the requisite court certifications. At the hearing, the requested witness [PRISONER] (DOC # [PRISON IDENTIFICATION NUMBER]) was present in Court in proper person, and the State of [PRODUCING STATE] was represented by [ATTORNEY], Deputy Attorney General.

By certification of [DISTRICT/SUPERIOR COURT] Court Judge [JUDGE'S NAME], County of [COUNTY], State of [REQUESTING STATE], [PRODUCING STATE] Department of Corrections inmate [PRISONER] (DOC # [PRISON IDENTIFICATION NUMBER]) has been certified as a material witness in the criminal prosecution in [COURT] Court of the County of [COUNTY], State of

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[REQUESTING STATE], for the purpose of trial in the matter entitled [CASE CAPTION], Case No. [CASE NO.].

This Court has reviewed the judicial certification referenced above together with supporting documents and concludes that these papers are in proper form. Furthermore, this Court inquired of **[PRISONER]** during the hearing. Considering these facts, the Court has determined that **[PRISONER]** is a certified material witness necessary to the criminal prosecution being conducted in the matter referenced above and that compelling the attendance of **[PRISONER]** upon these proceedings in the State of **[REQUESTING STATE]** will not cause undue hardship to **[PRISONER]**.

This Court has informed [PRISONER] that while [HE/SHE] is in the State of [REQUESTING STATE] pursuant to this Order, [HE/SHE] is exempt from arrest or the service of civil or criminal process in connection with matters which may have arisen before [PRISONER] enters the State of [REQUITING STATE]. Additionally, the Court is satisfied upon the recommendation of the [COURT] Court of the County of [COUNTY], State of [REQUESTING STATE], that [PRISONER] be retained in custody and delivered to peace officers of the County of [COUNTY], State of [REQUESTING STATE], that [PRISONER] be retained in custody and delivered to peace officers of the County of [COUNTY], State of [REQUESTING STATE], to assure [HIS/HER] attendance at this trial on or about [DATES PRISONER NEEDED FOR TRIAL]. This Court is further satisfied that the [REQUESTING STATE]'s authorities are providing for the payment of the witness fees authorized by law and the cost of transportation, lodging and subsistence or any additional expenses incident to the attendance of this witness which the judge of that court shall determine reasonable and necessary. Finally, this Court concludes that [PRODUCING STATE] law supports an order compelling the attendance of [PRISONER] as a material witness is in the interest of justice. [PRODUCING PRISONER] and that attendance of this witness is in the interest of justice.

STATE MATERIAL WITNESS STATUTES].

WHEREFORE, it is the order of this Court that [PRISONER] (DOC # [PRISON IDENTIFICATION NUMBER]), an inmate in the custody of the [PRODUCING STATE] Department of Corrections, be forthwith delivered to designated peace officers of the [COURT] Court of the State of [STATE], County of [COUNTY], in the matter captioned [CASE CAPTION], Case No. [CASE NO.], scheduled to commence on or about [FIRST DAY OF TRIAL], and continue through and including [LAST DAY OF TRIAL], and that [PRISONER] be returned to the custody of the [PRODUCING STATE]

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Department of Corrections within ten (10) days of the date upon which the proceedings in the matter referenced above are concluded unless otherwise ordered by this Court.

[JUDGE]

[NOTE – OBTAIN TWO CERTIFIED COPIES OF THIS ORDER. SERVE ONE ON THE PRISONER (SEE *FORM G*). MAIL SECOND TO REQUESTING STATE WITH A REGULAR COPY MAILED TO THE PRODUCING STATE'S WARRANTS COORDINATOR.]