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SUPERIOR COURT OF CALIFORNIA,
COUNTY OF MONTEREY

Plaintiff:

THE PEOPLE OF THE STATE OF CALIFORNIA

Defendant: **GENARO ROSALES VARGAS**

CASE NUMBER:

DECLARATION FOR: SUBPOENA DUCES TECUM

SS 050613A

I hereby declare, under penalty of perjury, that I am the attorney of records for THE PEOPLE OF THE STATE OF CALIFORNIA in the above-entitled action;

That said action is set for hearing on: **March 4, 2005 at 10:00 a.m.** at 240 Church Street, Salinas, California.

That the **GYI Investigations, Attention: Custodian of Records**, is a material witness in said action, and has under his/her control the following books, documents, or other thing(s):

Please bring with you to court subrosa video tape recordings of surveillance conducted on:

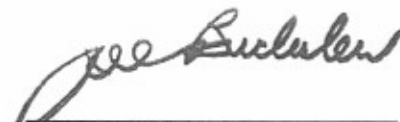
GENARO ROSALES VARGAS

For the dates: 10/26/01; 10/27/01; 10/28/01; and 8/3/02

That said matters or things are material to the issues involved in said action by reason of the following facts: **THESE RECORDS ARE NEEDED FOR CRIMINAL PROSECUTION. GENARIO VARGAS HAS ALLEGEDLY MISREPRESENTED THE PHYSICAL LIMITATIONS SUFFERED FROM AN ALLEGED WORK RELATED INJURY. VIDEO TAPE OF VARGAS' PHYSICAL ABILITIES IS MATERIAL EVIDENCE OF MALINGERING.**

Request is made that Subpoena Duces Tecum issue accordingly.

Executed: February 18, 2005, at Salinas, CA.



JOE BUCKALEW
Deputy District Attorney