

**BEFORE THE CODE ENFORCEMENT SPECIAL MAGISTRATE
OF THE CITY OF KEY WEST, FLORIDA**

CITY OF KEY WEST,

CASE NUMBER: CES-11-1551

Petitioner,

v.

**RICHARD T. & TAMMY S. FOX
100 NORTH WHITFIELD STREET
NAZARETH, PENNSYLVANIA 18064-1538**

Respondent(s)

WITNESS SUBPOENA TO HEARING

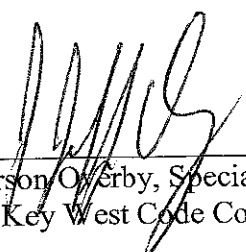
**To: Alistair Closs, Excel Property Care, 2403 Staples Avenue, Key West, Florida
33040**

Re: Property located at 1110 Fleming Street, Unit 2, Key West, Florida

YOU ARE COMMANDED to appear before Special Magistrate J. Jefferson Overby, at Key West Old City Hall, 510 Greene Street, Key West, Florida, on February 29, 2012, at 1:30 p.m. and, pursuant to Key West Code of Ordinances Section 2-635 and Florida Statutes 162-08(3) to respond to person to questions by parties and the Special Magistrate for a Code Compliance Hearing concerning the above styled cases.

Pursuant to Florida Statute Section 92.142, a check for \$5.00 for witness fees is attached. You are hereby subpoenaed by the Special Magistrate, and unless excused from this subpoena by the Special Magistrate.

DONE AND ORDERED this 13th day of February, 2012 in Key West, Monroe County, Florida.



J. Jefferson Overby, Special Magistrate
City of Key West Code Compliance

SUBPOENA DUCES TECUM WITHOUT DEPOSITION

THE STATE OF FLORIDA

TO: Alistair Closs
Excel Property Care
2403 Staples Avenue
Key West, FL 33040

YOU ARE COMMANDED to produce to the Office of the City Attorney at 3128 Flagler Avenue in Key West, FL 33040 on or before February 24, 2012 the following:

ANY AND ALL records for 1110 Fleming Street, Unit 2, Key West, Florida 33040, including any and all schedules of rentals and any similar documents pertaining to, but not limited to, Unit 2 on the following dates: 4/1/11 through 4/8/11 for guests named the Knauers; 6/4/11 through 6/12/11 for guests name the Werners; 10/25/11 through 10/28/11 for guests names the Warrens; and 12/18/11 through 12/25/11 for guests name the Miswalds.

These items will be inspected and may be copied at that time. You will not be required to surrender the original items. You may comply with this subpoena by providing legible copies of the items to be produced to the attorney whose name appears on this subpoena on or before the scheduled date of production. You may condition the preparation of the copies upon the payment in advance of the reasonable cost of preparation. You may mail or deliver the copies to the attorney whose name appears on this subpoena and thereby eliminate your appearance at the time and place specified above. You have the right to object to the production pursuant to this subpoena at any time before the production by giving written notice to the attorney whose name appears on this subpoena.

THIS WILL NOT BE A DEPOSITION. NO TESTIMONY WILL BE TAKEN.

If you fail to: (1) appear as specified; or (2) furnish the records instead of appearing as provided above; or (3) object to this subpoena, YOU MAY BE IN CONTEMPT OF COURT. Unless you are excused by the attorney whose name appears on this subpoena, or the Court, you shall respond to this Subpoena as directed.

Dated this 13 day of February 2012.

RONALD J RAMSINGH, ESQUIRE
For the Court

By: 

*Ac. Del 3:27 PM
2/13/12*

Ronald Ramsingh, Esquire
Assistant City Attorney
City Attorney's Office
City of Key West
3128 Flagler Avenue
Key West, FL 33040
Telephone (305) 809-3775
Facsimile (305) 809-3771
FBM 0195553

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APPLICATION FOR WITNESS SUBPOENA TO HEARING

Petitioner, the City of Key West, hereby requests issuance of a witness subpoena to hearing for: Alistair Closs, Excel Property Care, 2403 Staples Avenue, Key West, Florida 33040, in the form attached, and as grounds therefore states:

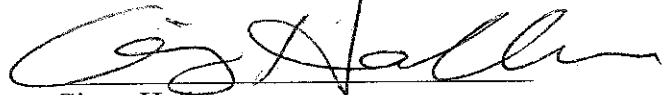
1. The above styles case is pending before the Code Enforcement Special Magistrate, pursuant to Florida Statutes Chapter 162 and Article IV of Section 2 of the City of Key West Code of Ordinances.
2. This matter is currently set for hearing on February 29, 2012 at 1:30 p.m.
3. Pursuant to City of Key West Code of Ordinances, Section 2-635, the Special Magistrate may subpoena witnesses to hearing and may issue orders having the force of law commanding whatever steps are necessary to bring a violation into compliance.
4. The City has reasonable grounds to believe that Mr. Alistair Closs has information relevant to this case.

A. C. Del 3:21 pm
2/13/12

5. Specifically, Mr. Alistair Closs will be asked about his knowledge of the alleged unlicensed transient rental activity at 1110 Fleming Street, Unit 2, Key West, Florida.

WHEREFORE, the City of Key West requests that the Special Magistrate authorize and grant the Application for Witness Subpoena to Hearing requested pursuant to the above-cited authority.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ginny Haller", written over a horizontal line.

Ginny Haller
Code Compliance Officer