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*Pro Se* for Petitioner SAMUEL A. PERRONI

**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES – CENTRAL DISTRICT**

SAMUEL A. PERRONI,	)	Case No. BS 159430
	)	
Petitioner	)	<i>(Assigned for All Purposes to the Honorable James C. Chalfant, Dept. 85)</i>
	)	
vs.	)	<b>MEMORANDUM IN SUPPORT OF APPLICATION FOR ORDER TO SHOW CAUSE RE CONTEMPT</b>
	)	
MARK A. FAJARDO,	)	
M.D., IN HIS OFFICIAL	)	
CAPACITY AS CHIEF MEDICAL	)	
EXAMINER-CORONER; LOS	)	
ANGELES COUNTY	)	
DEPARTMENT OF MEDICAL	)	
EXAMINER-CORONER; JIM	)	
McDONNELL, IN HIS OFFICIAL	)	
CAPACITY AS SHERIFF; AND	)	
THE COUNTY OF LOS ANGELES	)	
SHERIFF’S DEPARTMENT	)	
	)	
Respondents.	)	
	)	
_____	)	

A subpoena itself is technically a court order; no other court order directing compliance is necessary. See Code of Civil Procedure §§ 1991.1, 2020.240; *Lund v. Superior Court*, 61 C2d 698, 713, 39 CR 891, 901 (1964).

A non-party who has been subpoenaed to a deposition and fails to appear may be punished for contempt under Code of Civil Procedure § 2023.030 without the necessity of a prior order of Court directing compliance by the witness. The disobedient witness is further subject to a separate action for the forfeiture and payment of damages of no less than \$500. Code of Civil Procedure §§ 1992, 2020.240.

Herein, Petitioner filed an Affidavit with the Court stating that the proper service of the deposition subpoena was affected on the witness and the witness consciously refused to attend the deposition. See, Code of Civil Procedure § 1991; *Chapman v. Superior Court for Los Angeles County*, 261 Cal.App. 2d 194, 67 Cal. Rptr. 842 (2nd District, 1968).

If the witness appears pursuant to a show cause order, and is found guilty of contempt, a fine may be imposed not to exceed \$1,000 and the witness may be placed in prison for not more than five (5) days. See Code of Civil Procedure § 1218(a). Furthermore, the witness is subject to an order to appear and give testimony pursuant to Code of Civil Procedure § 1987.1.

Dated: \_\_\_\_\_

Respectfully Submitted,

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Samuel A. Perroni  
Petitioner *Pro Se*

**PROOF OF SERVICE**  
**STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

On May \_\_, 2016, I served the foregoing document on the interested parties in this action by placing  the original  a true copy thereof enclosed in sealed envelopes addressed as follows:

Daniel P. Barer  
Pollak, Vida & Fisher  
11150 W. Olympic Blvd, Suite 980  
Los Angeles, CA 90064-1839

Anna L. Birenbaum  
Pollak, Vida & Fisher  
11150 W. Olympic Blvd, Suite 980  
Los Angeles, CA 90064-1839

**(BY MAIL)** I deposited such envelopes in the mail at Little Rock, Arkansas. The envelope was mailed with postage thereon fully prepaid, as follows: I am “readily familiar” with the firm’s practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Little Rock, Arkansas in the ordinary course of business.

**(BY PERSONAL SERVICE)** I delivered such envelope by hand to the offices of the addresses above.

**(BY FEDERAL EXPRESS)** I caused said envelope to be sent by Federal Express to the addressee(s) identified.

**(BY EMAIL)** With the permission of the above-identified addressees, I transmitted the attached document via the email addresses provided.

**(BY FACSIMILE)** At the time indicated on the transmission report from fax phone number \_\_\_\_\_, the facsimile machine I used complied with Rule 2003(3) and the transmission was reported as complete and without error. Pursuant to Rule 2008(e)(4), the attached transmission report was properly issued by the transmitting facsimile machine.

(State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

(Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on May \_\_, 2016, at North Little Rock, Arkansas.

\_\_\_\_\_  
Samuel A. Perroni