

COMMONWEALTH OF KENTUCKY
____ JUDICIAL CIRCUIT
____ CIRCUIT COURT
INDICTMENT NO. ____ -CR- ____

COMMONWEALTH OF KENTUCKY

PLAINTIFF

V.

DEFENDANT

ORDER

The Court, having considered the motion filed by the Commonwealth and the affidavits attached thereto and finding that [witness] may be unable to attend or is or may be prevented from attending the trial, and that the testimony of the witness is material, and that the taking of the deposition is necessary to prevent a failure of justice, and that reasonable written notice of the time and place for the taking of the deposition has been provided to all parties, does hereby order that the motion be granted.

The examination of [witness] shall be held on [date] at [time] at [place].

Pursuant to RCr 7.12(2) the Commonwealth shall pay in advance the reasonable expenses of travel and subsistence of the defendant and the defendant's attorney in attending such examination.

The court further orders that [custodian] produce the person of [defendant] at the deposition in compliance with RCr 7.12 subsections (1) and (3) and that the defendant be kept in the presence of the witness during the examination pursuant to RCr 7.12(3).

The deposition will be taken in the manner provided in the Civil Rules pursuant to RCr 7.18.

Thus done and signed this _____ day of _____ 200__, in

_____, _____ County.

JUDGE