

76-10-1213 Corporate defendants -- Summons -- Subpoena duces tecum.

- (1)
- (a) The attendance in court of a corporation for purposes of commencing or prosecuting a criminal action against it under this part may be accomplished by the issuance and service of a summons. A summons shall be issued by a magistrate if he finds probable cause that material in the possession of the corporation against which the summons is sought is pornographic or harmful to minors, which finding shall be upon affidavit describing with specificity the material alleged to be pornographic or harmful to minors or by another manner or means the magistrate finds necessary.
 - (b) Where practical, the material alleged to be pornographic or harmful to minors shall be attached to the affidavit so as to afford the magistrate the opportunity to examine this material.
 - (c) The summons must be served upon the corporation by delivery of it to an officer, director, managing or general agent, or cashier, or assistant cashier of the corporation.
- (2) The production of material alleged to be pornographic or harmful to minors in any proceedings under this part against a corporation may be compelled by the issuance and service of a subpoena duces tecum. This section does not prohibit or limit the use of a subpoena duces tecum in proceedings against natural persons under this part.

Amended by Chapter 53, 2000 General Session