

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

IN RE PETITION OF MARZUQ AL-HAKIM

Case No. 8:18-mc-106-T-30AAS

ORDER

Marzuq Al-Hakim petitions—for a second time—to perpetuate testimony from United States Bank National Association (U.S. Bank) under Federal Rule of Civil Procedure 27. (Doc. 10). Mr. Al-Hakim also moves for a “an order for subpoena duces tecum to assist in producing original mortgage note.” (Doc. 11).

The February 4th order denied Mr. Al-Hakim’s first petition to perpetuate testimony because he failed to satisfy all five requirements under Rule 27. (Doc. 4). Mr. Al-Hakim’s second petition fails to cure the deficiencies discussed in the February 4th order and therefore also fails to satisfy Rule 27’s requirements.

Mr. Al-Hakim’s second petition fails to sufficiently explain (1) why he cannot bring a cause of action against U.S. Bank in a state or federal court; (2) why he cannot depose a U.S. Bank representative in his current state-court action;¹ (3) how this court has jurisdiction over his litigation with U.S. Bank; (4) what facts he wants to establish through Rule 27 testimony; (4) what is U.S. Bank’s expected testimony; and

¹ Mr. Al-Hakim attached documents from two state-court cases. (Doc. 10-1).

(5) why a risks exists that testimony from a U.S. Bank representative will be lost if Mr. Al-Hakim is not allowed to perpetuate testimony.

Because he failed to satisfy Rule 27's requirements, Mr. Al-Hakim's second petition to perpetuate testimony (Doc. 10) is **DENIED**. His motion for "an order for subpoena duces tecum" (Doc. 11) is **DENIED as moot**.

ORDERED in Tampa, Florida, on March 25, 2019.



AMANDA ARNOLD SANSONE
United States Magistrate Judge

cc: Marzuq Al-Hakim