

4. Regardless of which *subpoena duces tecum* is at issue, information from the confessional process is beyond the reach of a subpoena. As persuasive authority this issue was briefed, argued and ruled upon in the proceedings in 19 MR 1149 in which Judge Meyer on February 24, 2020 denied a Grand Jury subpoena. Those proceedings are part of this Court's record from other filed motions

5. Defendant Penakava adopts and incorporates by reference thereto all of the arguments contained in his original Motion to Quash *Subpoena Duces Tecum*, Item #3, Returnable April 23, 2021 filed on April 6, 2021.

WHEREFORE, the Respondent prays for an Order from this Court reconsidering its May 26, 2021 Order denying Penkava's Motion to Quash the State's *Subpoena Deuces Tecum* Item # 3 and now granting this Motion to Reconsider and for such other relief as this Court deems just and appropriate.

Respectfully Submitted,

By: *Philip A. Prossnitz*
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CERTIFICATE OF SERVICE BY EMAIL

I Philip A. Prossnitz, an attorney, hereby verify that I served this Motion to Reconsider to May 26, 2021 Order denying the Motion to Quash Subpoena Duces Tecum Item # 3 - Returnable April 23, 2021 by emailing a copy to Ashur Youash, A.S.A., at AYYouash@mchenrycountyil.gov to Hunter Jones at HPJones@mchenrycountyil.gov and Terry Ekl at tekl@eklwilliams.com on and before 9:00 AM on June 24, 2021.

Law Office of Philip A. Prossnitz

By: Philip A. Prossnitz

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