

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

DAVID MAURICE GOMEZ,

Case No.: 1:03-cv-06290 DLB PC

Plaintiff,

ORDER DIRECTING CLERK OF COURT TO
RETURN MONEY ORDER

v.

A. K. SCRIBNER, et al.,

Defendants.

Plaintiff David Maurice Gomez ("plaintiff") is proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. This action is proceeding on plaintiff's amended complaint, filed October 21, 2003, against defendants Saddi, Bailey and German for failure to protect, in violation of the Eighth Amendment.

On March 30, 2009, Plaintiff submitted money orders to secure the attendance of witnesses Dr. Kim and Jane Kahn at trial.¹ However, Plaintiff included a miscellaneous money order for \$40.00 made payable to the United States District Court.

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¹By separate orders issued April 3, 2009, the Court ordered the United States Marshal to serve the subpoenas and money orders on the two witnesses. (Docs. 186, 187).

1 Plaintiff is not required to make payment to the United States District Court to secure the
2 attendance of his witnesses at trial and therefore the Clerk of the Court is HEREBY DIRECTED to
3 return the money order to Plaintiff.
4

5 IT IS SO ORDERED.

6 **Dated: April 22, 2009**

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE