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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

DONALD GLASS,	)	CASE NO. 1:04-cv-05466-OWW-SMS PC
	)	
Plaintiff,	)	ORDER DIRECTING SERVICE OF THREE
	)	SUBPOENAS AD TESTIFICANDUM AND
v.	)	WITNESS FEES BY UNITED STATES
	)	MARSHALS SERVICE
	)	
R.W. BEER, et al.,	)	(Docs. 185, 186, and 187)
	)	
Defendants.	)	Jury Trial: May 11, 2010, at 8:30 a.m.
	)	in Courtroom 3 before the Honorable
	)	Judge Oliver W. Wanger

This is a civil rights action filed pursuant to 42 U.S.C. § 1983 by Plaintiff Donald Glass, a state prisoner proceeding pro se. On December 3, 2009, Plaintiff filed notices of the names and locations of three witnesses who refuse to testify voluntarily to be subpoenaed to attend Plaintiff's jury trial in this matter. On December 7, 2009, the Court issued an order notifying Plaintiff of witness fees and costs due to subpoena unincarcerated witnesses who refuse to testify voluntarily and directing Plaintiff to submit three money orders, one made payable to each of the three witnesses, in the amount of \$100.17. (Doc. 188.) On January 7, 2010, Plaintiff submitted three money orders, each for the requisite sum, payable individually to the three unincarcerated witnesses.

1 Accordingly, it is HEREBY ORDERED that:

2 1. The Clerk of the Court shall forward the following  
3 documents to the United States Marshal's Office:

4 a. Three (3) completed and issued subpoenas ad  
5 testificandum to be served on:

6 L.T. Koeppe  
7 California State Prison, Corcoran  
8 4001 King Avenue  
9 Corcoran, California 93212

10 V. Rangel  
11 California State Prison, Corcoran  
12 4001 King Avenue  
13 Corcoran, California 93212

14 D.B. Scaife  
15 California State Prison, Corcoran  
16 4001 King Avenue  
17 Corcoran, California 93212

18 b. Three (3) completed USM-285 forms, one for each  
19 subpoena;

20 c. Three (3) copies of this order to accompany each  
21 subpoena, plus an extra copy for the U.S. Marshal;  
22 and

23 d. All three (3) money orders which Plaintiff submitted  
24 to this Court, payable to L.T. Koeppe, V. Rangel,  
25 and D.B. Scaife to accompany the subpoena to each  
26 witness respectively.

27 2. Within TEN (10) DAYS from the date of this order, the  
28 U. S. Marshal is DIRECTED to serve on each individual  
the appropriate subpoena and witness fee in accordance  
with the provisions of Rule 45 of the Federal Rules of  
Civil Procedure.

3. The U.S. Marshal's Office is DIRECTED to retain a copy

1 of each subpoena in its file for future use.

2 4. The U.S. Marshal SHALL effect personal service of the  
3 subpoenas ad testificandum, along with the  
4 corresponding witness fee money order and a copy of  
5 this order for each subpoena, upon the individuals  
6 named in the subpoenas pursuant to Rule 45 of the  
7 Federal Rules of Civil Procedure and 28 U.S.C. § 566(c)  
8 and SHALL command all necessary assistance from the  
9 California Department of Corrections and Rehabilitation  
10 and California State Prison, Corcoran to execute this  
11 order. The United States Marshal SHALL maintain the  
12 confidentiality of all information provided by the  
13 California State Prison, Corcoran pursuant to this  
14 order.

15 5. Within TEN (10) DAYS after personal service is  
16 effected, the U. S. Marshal SHALL file the return of  
17 service, along with the costs subsequently incurred in  
18 effecting service. Said costs shall be enumerated on  
19 the USM-285 form.

20 IT IS SO ORDERED.

21 Dated: April 7, 2010

/s/ Oliver W. Wanger  
UNITED STATES DISTRICT JUDGE