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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ROBERT HACKWORTH,
Plaintiff,
v.
P. RANGEL, et al.,
Defendants.

Case No. 1:06-cv-00850-AWI-MJS (PC)
ORDER REGARDING WITNESS FEES
MONEY ORDERS DUE SEPTEMBER 9,
2013

Plaintiff Robert Hackworth is a state prisoner proceeding pro se and in forma pauperis in this civil rights action filed July 6, 2006 pursuant to 42 U.S.C. § 1983. (ECF No. 1.) This matter proceeds on Plaintiff's excessive force claim against Defendant Rangel. (ECF No. 20.)

Pursuant to the Court's second scheduling order, (ECF No. 92), Plaintiff was required to notify the Court of the names and location of each unincarcerated witness he intends to call at trial. The Court would then inform the Plaintiff of the travel expense for each witness he wishes to subpoena and require Plaintiff to submit a money order by **September 9, 2013**, made payable to the witness. The appropriate amount is a daily fee of \$40.00 plus travel expenses. 28 U.S.C. § 1821. Plaintiff is required to submit these money orders prior to the issuance of any subpoena and service by the United States Marshal.

Plaintiff intends to call five CDCR officials as witnesses. Plaintiff lists the location of

1 witness Battles as Salinas Valley State Prison, which is located at 31625 Highway 101
2 Soledad, California. The round trip mileage from Soledad to Fresno is 282.8 miles. The
3 mileage rate is 56.5 cents per mile. The total mileage fee for Battles is \$ 159.78.

4 Accordingly, for witness Battles whom Plaintiff wishes to subpoena, Plaintiff must submit a
5 money order payable to witness Battles in the amount of \$ 199.78.

6 Plaintiff lists the location of witnesses Tsung, Smith, Materson, and Renterta as
7 California State Prison, Corcoran, which is located at 4001 King Avenue, Corcoran,
8 California. The round trip mileage from Corcoran to Fresno is 108.4 miles. The mileage rate
9 is 56.5 cents per mile. The total mileage fee for each of these witnesses is \$ 61.25.

10 Accordingly, for the witnesses from Corcoran whom Plaintiff wishes to subpoena, Plaintiff
11 must submit a money order payable to each witness in the amount of \$ 101.25.

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16 IT IS SO ORDERED.

17 Dated: August 28, 2013

18 /s/ Michael J. Seng
19 UNITED STATES MAGISTRATE JUDGE
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