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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

NICOLAS MORAN,

CASE NO. 1:08-cv-00016-GBC (PC)

Plaintiff,

ORDER DIRECTING SERVICE OF  
SUBPOENA DUCES TECUM BY UNITED  
STATES WITHOUT PREPAYMENT OF  
COSTS

v.

JOHN DOVEY, et al.,

(Docs. 96, 97, and 101)

Defendants.

Plaintiff Nicolas Moran (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. This action is proceeding on Plaintiff’s second amended complaint, filed on November 18 2008. (Docs. 20, 29, 30).

On March 23, 2011, the Court granted Plaintiff’s request for the issuance of a subpoena duces tecum and forwarded a subpoena to Plaintiff for completion and return within thirty days. On March 31, 2011, Plaintiff complied with the order and returned the completed subpoenas. In as much as Plaintiff provided that the documents be produced, Plaintiff made some errors which included attempting to execute service on his own via mail. The subpoena has been modified to direct production to the current Litigation Coordinator at Pleasant Valley State Prison to ensure that the person in the responsible position is served in the event of employment changes. Further, the Court modified the date of production in order to provide sufficient time for the Marshall to effect service of the subpoena and for the current Litigation Coordinator at Pleasant Valley State Prison to comply with the subpoena after service.

Therefore, the date of production has been changed by the Court to June 15, 2011, at 3:00

1 p.m.

2 Accordingly, it is HEREBY ORDERED that:

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

5 a. One (1) completed and issued subpoenas duces tecum to be served on:

6 **Litigation Coordinator for Pleasant Valley State Prison**  
7 **P.O. Box 8500**  
8 **Coalinga CA, 93210**

9 b. One (1) completed USM-285 form for the subpoena; and

10 c. Two (2) copies of this order, one to accompany the subpoena and one for the  
11 Marshals Service.

12 2. Within **TWENTY (20) DAYS** from the date of this order, the Marshals Service is  
13 DIRECTED to serve the subpoena in accordance with the provisions of Rule 45 of the  
14 Federal Rules of Civil Procedure.

15 3. The Marshals Service is DIRECTED to retain a copy of the subpoena in its file for future  
16 use.

17 4. The Marshals Service SHALL effect **personal service** of the subpoena duces tecum,  
18 along with a copy of this order, upon the entity named in the subpoena pursuant to Rule  
19 45 of the Federal Rules of Civil Procedure and 28 U.S.C. § 566(c).

20 5. Within **TEN (10) DAYS** after personal service is effected, the Marshals Service SHALL  
21 file the return of service, along with the costs subsequently incurred in effecting service.  
22 Said costs shall be enumerated on the USM-285 form.

23 IT IS SO ORDERED.

24 Dated: April 21, 2011

25   
26 UNITED STATES MAGISTRATE JUDGE  
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