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**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

KELVIN X. SINGLETON,

1:08-cv-00095-AWI-GSA-PC

Plaintiff,

ORDER FOR CLERK TO RETURN TO  
PLAINTIFF THE SUBPOENA LODGED ON  
DECEMBER 2, 2010  
(Doc. 119.)

v.

A. HEDGEPATH, et al.,

ORDER CLOSING DISCOVERY

Defendants.

\_\_\_\_\_ /

Plaintiff Kelvin X. Singleton (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action filed pursuant to 42 U.S.C. § 1983. On December 2, 2010, the Court received a subpoena from Plaintiff which was lodged by the Clerk. (Doc. 118.)

Plaintiff has submitted a subpoena to the Court, commanding the Chief Medical Officer at Calipatria State Prison to produce documents at Calipatria State Prison, including Plaintiff’s health records from May 2010 to the present date. The subpoena was not accompanied by a motion or any other explanatory document.

The deadline for conducting discovery in this action expired on November 30, 2010, and discovery, with the exception of pending discovery matters, is now closed. Therefore, Plaintiff’s submission of the subpoena is untimely, and Plaintiff is foreclosed from requesting further production of documents. The Clerk shall be directed to return the subpoena to Plaintiff.

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Accordingly, IT IS HEREBY ORDERED that:

1. The Clerk is DIRECTED to return to Plaintiff the subpoena lodged on December 2, 2010; and
2. Discovery in this action, with the exception of pending discovery matters, is CLOSED.

IT IS SO ORDERED.

**Dated: December 16, 2010**

**/s/ Gary S. Austin**  
UNITED STATES MAGISTRATE JUDGE