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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

Phillip Rosenblum,

Plaintiff,

v.

Mule Creek State Prison Medical Staff,
et. al,

Defendants.

No. CV 1-08-0448-SMM

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

This is a civil rights action filed pursuant to 42 U.S.C. § 1983 by Plaintiff Philip Rosenblum, who is proceeding pro se and in forma pauperis. Pursuant to the Court’s order of October 7, 2011 (Doc. 99), Plaintiff submitted the subpoena duces tecum and all required documents.

Accordingly,

IT IS HEREBY ORDERED:

- (1) The Clerk of Court shall forward the following documents to the United States Marshals Service:
 - (a) Two (2) copies of the completed and issued subpoena duces tecum, one for the Marshals Service and one to be served on:
Dr. Shyam Nair, 1919 Truxtun Avenue, Bakersfield, CA 93301.
 - (b) One (1) completed USM-285 form;
 - (c) Two (2) copies of the Court’s October 7, 2011 order (Doc. 99), one to accompany the subpoena and one for the Marshals Service.

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- (d) Two (2) copies of this order, one to accompany the subpoena and one for the Marshals Service.
- (2) Within **Twenty (20) Days** from the date of this order, the Marshals Service is **directed to effect personal service** of the subpoena duces tecum, along with the October 7, 2011 order, this order, and any other required documents in accordance with the provisions of Rule 45 of the Federal Rules of Civil Procedure and 28 U.S.C. § 566(c).
- (3) The Marshals Service is **directed** to retain a copy of the subpoena in its file for future use.
- (4) Within **ten (10) days** after personal service is effected, the Marshals Service **shall** file the returns of service, along with the costs subsequently incurred in effecting service. Said costs shall be enumerated on each USM-285 form.

DATED this 22nd day of November, 2011.



Stephen M. McNamee
United States District Judge