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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

CHARLES D. WILLIAMS,	)	1:08cv546 AWI DLB
	)	
	)	
Plaintiff,	)	ORDER REQUIRING THIRD PARTY
	)	CALIFORNIA DEPARTMENT OF
v.	)	CORRECTIONS AND REHABILITATION TO
	)	RESPOND TO PLAINTIFF'S MOTION TO
	)	COMPEL
PORTERVILLE POLICE DEPARTMENT	)	
et.al.,	)	
	)	
	)	
Defendants.	)	

Plaintiff Charles D. Williams, a state prisoner proceeding pro se and in forma pauperis, filed the instant civil rights action on April 21, 2008. A discovery scheduling order issued on February 19, 2009.

On September 9, 2009, pursuant to Plaintiff's request, the Court issued a subpoena duces tecum to the Visalia Parole Office seeking records relating to Plaintiff's parole.

On September 23, 2009, Plaintiff filed a motion to compel production under the subpoena. He attached a copy of the response from the California Department of Corrections and Rehabilitation ("CDCR") indicating that the records were destroyed.

Accordingly, pursuant to Local Rule 78-230(m), CDCR is ORDERED to file a response within 21 days of service of this motion. The Clerk of the Court is ORDERED to serve a

1 courtesy copy of this order on CDCR's Office of Legal Affairs, P.O. Box 942883, Sacramento,  
2 CA, 94283-0001.

3 Plaintiff's reply, if any, will be due eight days from the date of service of the opposition.

4 IT IS SO ORDERED.

5 **Dated: October 7, 2009**

**/s/ Dennis L. Beck**  
UNITED STATES MAGISTRATE JUDGE

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