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

GARRISON S. JOHNSON,

Plaintiff,

v.

JOHN DOVEY, et al.,

Defendants.

CASE NO. 1:08-CV-00640-LJO-DLB PC

ORDER REQUIRING PLAINTIFF TO  
SUPPLEMENT MOTION

(DOC. 130)

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Plaintiff Garrison S. Johnson (“Plaintiff”) is a prisoner in the custody of the California Department of Corrections and Rehabilitation (“CDCR”). Plaintiff is proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. This action is proceeding against Defendants Dunnahoe, V. Ybarra, Cunningham, Medrano, Holguin, Valasquez, G. Ybarra, Curliss, J. Gonzales, and K. Powell on claims of excessive force, inhumane conditions of confinement, retaliation, and state law claims. Pending before the Court is Plaintiff’s motion entitled “Motion For Contempt Citation, Sanctions, and Dispositive Relief” against non-parties Matthew Cate and Michael Stainer, filed May 26, 2011. Doc. 130. The Court treats the motion as a motion to compel pursuant to Federal Rule of Civil Procedure 45. On May 31, 2011, CDCR filed its response to the motion. Doc. 131.

The Court had directed the United States Marshal to serve subpoena duces tecum on the above non-parties. Plaintiff contends that Matthew Cate and Michael Stainer have failed to respond. It appears that CDCR responded by serving written objections. Plaintiff has failed to submit these objections with his motion to compel. The Court cannot make a determination

1 without CDCR's objections. Accordingly, it is HEREBY ORDERED that Plaintiff is to file  
2 CDCR's objections to the subpoenas within twenty-one (21) days from the date of service of this  
3 order. Failure to timely file will result in the denial of Plaintiff's motion.

4 IT IS SO ORDERED.

5 Dated: June 3, 2011

/s/ Dennis L. Beck  
UNITED STATES MAGISTRATE JUDGE

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