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

Willie D. Randle,
Plaintiff,
vs.
L. V. Franklin et al.,
Defendant.

No. CV-08-00845-JAT

**ORDER DIRECTING SERVICE OF
SUBPOENA 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 Willie D. Randle, a state prisoner proceeding *pro se* and *in forma pauperis*. Pursuant to the Court’s minute entry and Final Pretrial Order filed on December 13, 2010, Plaintiff submitted a subpoena and USM-285 form. (Docs. 84, 85.) *See* FED.R.CIV.P. 4, 45; 28 U.S.C. § 1915(d).

Pursuant to the list of Plaintiff’s witnesses contained in the Final Pretrial Order (Doc. 85), and based on the proceedings before the Court on December 13, 2010 (Doc. 84), this is the sixteenth and final subpoena that Plaintiff will be permitted to submit.

Accordingly, it is HEREBY ORDERED that:

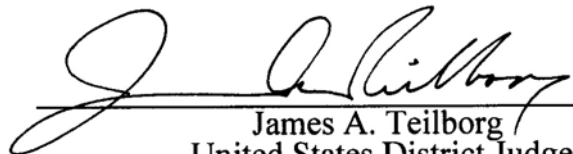
1. The Clerk of the Court shall forward the following documents to the United States Marshals Service:

a. One (1) completed and issued subpoena to be served on:

1 **Lieutenant J. Smith**
2 **Kern Valley State Prison**
3 **3000 West Cecil Avenue**
4 **Delano, California 93216**

- 5 b. One (1) completed USM-285 form; and
- 6 c. Two (2) copies of this order, one to accompany the subpoena and one for the
- 7 Marshals Service.
- 8 2. Within **TWENTY (20) DAYS** from the date of this order, the Marshals Service
- 9 is **DIRECTED** to serve the subpoena in accordance with the provisions of Rule 45
- 10 of the Federal Rules of Civil Procedure.
- 11 3. The Marshals Service is **DIRECTED** to retain a copy of the subpoena in its file for
- 12 future use.
- 13 4. The Marshals Service **SHALL** effect **personal service** of the subpoena, along with
- 14 a copy of this order, upon the individual named in the subpoena pursuant to Rule
- 15 45 of the Federal Rules of Civil Procedure and 28 U.S.C. § 566(c).
- 16 5. Within **TEN (10) DAYS** after personal service is effected, the Marshals Service
- 17 **SHALL** file the return of service, along with the costs subsequently incurred in
- 18 effecting service. Said costs shall be enumerated on the USM-285 form.

19 DATED this 1st day of February, 2011.

20 
21 _____
22 James A. Teilborg
23 United States District Judge