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

NICK WOODALL,

Plaintiff,

v.

A. RAYGOZA,

Defendant.

CASE NO. 1:08-cv-01948-LJO-DLB PC

ORDER REGARDING WITNESS FEES  
(DOC. 108)

FEES DUE APRIL 16, 2012

Plaintiff Nick Woodall (“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 on Plaintiff’s complaint against Defendant A. Raygoza for violation of the Eighth Amendment.

Pursuant to the Court’s Second Scheduling Order, Plaintiff was required to notify the Court of the names and location of each unincarcerated witness he intends to call at trial. The Court would then inform the Plaintiff of the travel expense for each witness he wishes to subpoena and require Plaintiff to submit a money order, made payable to the witness. The appropriate amount is a daily fee of \$40.00 plus travel expenses. 28 U.S.C. § 1821. Plaintiff is required to submit these money orders prior to the issuance of any subpoena. To provide Plaintiff with a reasonable time to comply, the Court will require Plaintiff to submit money orders by **April 16, 2012**.

**I. Corcoran State Prison Witnesses**

Plaintiff wishes to call Captain F. P. Field, correctional lieutenant M. Sexton, correctional sergeant T. Lawson, correctional officer A. Olive, correctional sergeant T. Gonzales, and

1 litigation coordinator Mary Kimbrell as witnesses. Plaintiff lists the location of these witnesses  
2 at 4001 King Avenue, Corcoran, California, 93212, the address of Corcoran State Prison. The  
3 round trip mileage from Corcoran to Fresno is 105.8 miles. The mileage rate is \$ 0.51 per mile.  
4 The total mileage fee is \$ 53.96. Accordingly, for all witnesses from Corcoran State Prison  
5 whom Plaintiff wishes to subpoena, Plaintiff must submit a money order made payable to **each**  
6 **witness** in the amount of **\$ 93.96**.

7 **II. Witness M. Rahimifar**

8 Plaintiff wishes to call doctor M. Rahimifar as a witness. Plaintiff lists the location of  
9 this witness at 2601 North Oswell Street, Suite 101, Bakersfield, California, 93306. The round  
10 trip mileage from Bakersfield to Fresno is 224 miles. The mileage rate is \$ 0.51 per mile. The  
11 total mileage fee is \$ 114.24. Accordingly, for Plaintiff to subpoena the attendance of doctor M.  
12 Rahimifar as a witness, Plaintiff must submit a money order made payable to M. Rahimifar in the  
13 amount of **\$ 154.24**.

14 IT IS SO ORDERED.

15 **Dated: March 28, 2012**

/s/ Dennis L. Beck  
UNITED STATES MAGISTRATE JUDGE