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

LAMONT SHEPARD,	CASE NO. 1:09-cv-00809-LJO-BAM PC
Plaintiff,	
v.	ORDER DENYING PLAINTIFF'S MOTION FOR AN EVIDENTIARY HEARING
T. QUILLEN, et al.,	(ECF. No. 94)
Defendants.	ORDER DIRECTING CLERK OF COURT TO SEND COPY OF MOTION FOR ATTENDANCE OF WITNESSES TO PLAINTIFF
	/ (ECF No. 88)

Plaintiff Lamont Shepard ("Plaintiff") is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. On July 23, 2012, Plaintiff filed an unsigned motion for the attendance of witnesses which was stricken from the record. (ECF Nos. 88, 89.) Plaintiff filed a signed motion for the attendance of witnesses on August 2, 2012. (ECF No. 91.) On August 3, 2012, Plaintiff's motion for the attendance of witnesses was denied because he failed to give the location of the unincarcerated witnesses that he wished to have served. (ECF No. 93.) On August 6, 2012, Plaintiff filed a motion for an evidentiary hearing. (ECF No. 94.)

Plaintiff requests an evidentiary hearing because he is sure that his motion for the attendance of witnesses was signed, and also requests that he be sent a copy of the motion. The Court finds that there is no need for an evidentiary hearing, but will grant Plaintiff's request for a copy of the motion.

Accordingly, IT IS HEREBY ORDERED that:

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1. Plaintiff's motion for an evidentiary hearing, filed August 6, 2012, is DENIED; and
2. The Clerk of the Court is directed to send Plaintiff a copy of the motion for the attendance of witnesses, filed July 23, 2012.

IT IS SO ORDERED.

**Dated: August 8, 2012**

**/s/ Barbara A. McAuliffe**  
UNITED STATES MAGISTRATE JUDGE