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7	UNITED STATES DISTRICT COURT	
8	EASTERN DISTRICT OF CALIFORNIA	
9	BRIAN ELLIS PORTER,	Case No. 1:10-cv-01500-BAM (PC)
10	Plaintiff,	ORDER REGARDING PLAINTIFF'S NOTICE OR
11	V.)	UPDATE OF WITNESS INFORMATION (ECF No. 174)
12	CHERYLEE WEGMAN,	DEADLINE TO SUBMIT WITNESS FEES:
13	Defendant.	August 4, 2017
14		
15		
16	Plaintiff Brian Ellis Porter ("Plaintiff") is state prisoner proceeding pro se and in forma	
17	pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. All parties have consented to	
18 19	magistrate judge jurisdiction. (ECF Nos. 5, 150.) This matter is set for trial on August 29, 2017.	
20	On July 24, 2017, Plaintiff filed a written notice regarding the location of Rabbi Paul Shleffar,	
20	an unincarcerated witness who refuses to testify at trial voluntarily, whom he seeks to be subpoenaed	
22	for trial. Plaintiff states that Rabbi Shleffar is located at California Department of Corrections,	
23	Division of Adult Institutions, P.O. Box 942883, Sacramento, CA 94283-0001. (ECF No. 174.)	
24	The witness fees for Rabbi Shleffar are set forth below. The amount is based on the daily	
25	witness fee of \$40.00, plus round-trip mileage at the current reimbursement rate of \$0.535 per mile.	
26	28 U.S.C. § 1821.	
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Thus, if Plaintiff wishes to have Rabbi Shleffar served with a summons to testify at trial, then Plaintiff must submit a money order, made out to Rabbi Shleffar, in the amount of \$222.97.

As set forth in the Court's July 12, 2017 Order Regarding Plaintiff's Motion for Attendance of Incarcerated and Unincarcerated Witnesses, to ensure the timely subpoena of this witness for trial, Plaintiff must submit the above listed witness fees no later than August 4, 2017. (ECF No. 167, p. 4).

Accordingly, it is HEREBY ORDERED that Plaintiff's deadline to submit the above-listed money order in the full amount for the unincarcerated witness to be served with summons to testify at trial, is August 4, 2017. Plaintiff is advised that the Court cannot accept cash, and money orders cannot be made out to the Court, but must be made out to the individual witness in that witness's

IT IS SO ORDERED.

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE Dated: **July 25, 2017**

As Plaintiff has provided only a Post Office Box address for Rabbi Shleffar and a physical address for the Department of Adult Institutions could not be located, the Court will use the main address for the California Department of Corrections and Rehabilitation headquarters in Sacramento, which is 1515 S Street, Sacramento, CA 95811. It is 342 miles, round-trip, from that location to the courthouse.