

1 tecum. Plaintiff now contends that the Corcoran State Prison hearings documents will demonstrate
2 that guards at Corcoran State Prison had a habit of covering up inmate rapes. Plaintiff also requests
3 documents related to an investigation by Mike Wallace of 60 Minutes. Again, the Court does not
4 find that Plaintiff's requests are reasonably calculated to lead to the discovery of admissible
5 evidence. Fed. R. Civ. P. 26(b)(1). Plaintiff fails to provide any explanation as to how the Corcoran
6 State Prison hearings from 1998, or Mike Wallace's investigation, have any bearing on the outcome
7 of this action. Accordingly, Plaintiff's motion will be denied.

8 **III. October 1, 2012 Motion**

9 Plaintiff moves to clarify a subpoena duces tecum which the Court ordered served on
10 Calipatria State Prison. Plaintiff seeks to modify the subpoena duces tecum to include the
11 audio/visual recordings of interviews conducted by the investigating officer regarding Plaintiff's
12 crime/incident report complaint. The subpoena duces tecum specifically listed audio/visual
13 recordings related to crime/incident report CAL-FDP-09-07-0349. Thus, Plaintiff's motion is denied
14 as moot.

15 **IV. October 5, 2012 Motion**

16 Plaintiff moves for service of subpoena duces tecum on the Custodian of Records for CDCR
17 regarding Stuart J. Ryan being fired because of Plaintiff's citizen investigation of his failure to allow
18 Muslim prisoners to pray on rugs. Plaintiff contacted the United States and California Department
19 of Justice. Plaintiff contends that his actions a direct result of motive by Defendants to allow his
20 alleged rape. Plaintiff also seeks information regarding former correctional officer Poindexter, a
21 correctional officer familiar with the use of "rape enforcers" and the culture of Corcoran State
22 Prison.

23 The Court does not find that Plaintiff's requests are reasonably calculated to lead to the
24 discovery of admissible evidence. Fed. R. Civ. P. 26(b)(1). Plaintiff fails to identify what
25 information he seeks. Plaintiff's contentions regarding past issues at Corcoran State Prison fails to
26 relate to conduct by Defendants in this action.¹ Accordingly, the Court will deny Plaintiff's motion.

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28 ¹ Plaintiff also complains that Shannon Hewitt, representing non-party CDCR with regards to Plaintiff's discovery requests, is not disclosing the identities of responsible parties at Corcoran State Prison. Plaintiff provides no explanation.

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V. Conclusion and Order

Based on the foregoing, it is HEREBY ORDERED that:

1. Plaintiff's motion for service of subpoena duces tecum, filed September 26, 2012 and October 5, 2012, are denied; and
2. Plaintiff's motion to modify the subpoena duces tecum, filed October 1, 2012, is denied as moot.

IT IS SO ORDERED.

Dated: November 26, 2012

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE