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

KEVIN DARNELL BRYANT,)	Case No. 1:11-cv-00446-BAM (PC)
Plaintiff,)	
v.)	ORDER DENYING PLAINTIFF’S MOTION FOR
)	SUBPOENA FORMS
GALLAGHER, et al.,)	(ECF No. 245)
Defendants.)	
)	
)	

Plaintiff Kevin Darnell Bryant (“Plaintiff”) is state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. All parties have consented to magistrate judge jurisdiction. (ECF Nos. 7, 231.) This action proceeds on Plaintiff’s claims against Defendant Romero for deliberate indifference to serious medical needs in violation of the Eighth Amendment, and against Defendants Gallagher and Romero for conspiracy, retaliation in violation of the First Amendment, and failure to protect in violation of the Eighth Amendment.

Currently before the Court is Plaintiff’s motion for thirteen (13) subpoena ad testificandum forms to subpoena unincarcerated witnesses who refuse to voluntarily testify in this matter. (ECF No. 245.) This motion is denied, as it is unnecessary to provide Plaintiff such forms. To clarify, Plaintiff’s responsibilities for securing the attendance of such witnesses were explained in this Court’s second scheduling order. (ECF No. 233.) Plaintiff must notify the Court in writing of the name and location of each such witness on or before **August 19, 2016**. The Court will calculate the necessary travel expenses for each unincarcerated witness and notify Plaintiff of the amount(s). Plaintiff must then, for

1 each witness, submit a money order made payable to the witness for the full amount of the witness's
2 travel expenses plus the daily witness fee of \$40.00, no later than **September 16, 2016**. If the Court
3 finds all necessary requirements are met, the Court will order the Clerk of the Court to complete the
4 necessary subpoenas, which will be submitted by the Clerk to the United States Marshal for service.
5 Plaintiff will not be required to complete the necessary subpoena forms himself.

6 Accordingly, it is HEREBY ORDERED that Plaintiff's request for subpoena forms is
7 DENIED.

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9 IT IS SO ORDERED.

10 Dated: July 15, 2016

11 /s/ Barbara A. McAuliffe
12 UNITED STATES MAGISTRATE JUDGE
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