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8 UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA  
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11 LEONARD RANSOM, JR.,

12 Plaintiff,

13 v.

14 DANNY HERRERA and RICKY  
15 BRANNUM,

16 Defendants.  
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Case No. 1:11-cv-01709-LJO-EPG (PC)

ORDER RE: PAYMENT FOR SERVICE OF  
SUBPOENAS

(ECF NO. 123)

19 Leonard Ransom, Jr. (“Plaintiff”), is a state prisoner proceeding *pro se* in this civil  
20 rights action filed pursuant to 42 U.S.C. § 1983.

21 On February 13, 2018, the Court directed the United States Marshals Service (“the  
22 Marshal”) to serve four subpoenas, and directed Plaintiff to pay the charges for service of the  
23 subpoenas. (ECF Nos. 95 & 113). The Marshal served all four subpoenas. (ECF No. 118).  
24 The total charge for service of these subpoenas was \$146.54. (See Id.).

25 Non-party Kern County District Attorney's Office (“KCDA”) objected to the subpoena  
26 that was served on it. (ECF Nos. 116 & 120). Given the errors in the subpoena, the Court  
27 ordered that KCDA be personally served with a corrected subpoena. (ECF No. 123). The  
28 Court directed that Plaintiff pay for the corrected subpoena as well. (Id. at 3). The total charge

1 for service of the second subpoena was \$65.37. (ECF No. 124).

2 The Marshal has received payment from Plaintiff in the amount of \$146.54 (see ECF  
3 Nos. 149 & 152), which was the amount owed for service of the first four subpoenas. As the  
4 second subpoena directed at KCDA had to be issued due to errors that were not Plaintiff's fault,  
5 the Court will not require Plaintiff to pay for service of that subpoena.

6 Accordingly, IT IS ORDERED that: 1) Paragraphs eight and nine of the order entered  
7 on March 2, 2018 (ECF No. 123, p. 3, ¶¶ 8-9), which required Plaintiff to pay for service of the  
8 second KCDA subpoena, are VACATED; and 2) Plaintiff is not required to pay for service of  
9 the second KCDA subpoena.

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11 IT IS SO ORDERED.

12 Dated: May 10, 2018

13 /s/ Eric P. Groj  
14 UNITED STATES MAGISTRATE JUDGE  
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