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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SHAWN PATRICK GREENBLATT,
Plaintiff,
v.
DR. I. PATEL, et al.,
Defendants.

Case No. 1:12-cv-00046-SKO PC

ORDER REQUIRING COUNSEL TO
RESUBMIT SUBPOENA WITH AN
UPDATED PRODUCTION DATE THAT IS
AT LEAST FORTY-FIVE DAYS FROM THE
DATE OF COMPLIANCE WITH THIS
ORDER

(Docs. 30 and 33)

TEN-DAY DEADLINE

_____ /

Plaintiff Shawn Patrick Greenblatt, a state prisoner proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983 on January 10, 2012. On January 7, 2013, the Court appointed counsel for Plaintiff for the limited purpose of ascertaining the identities of the two Doe defendants against whom this action proceeds, and on July 3, 2013, the Court granted Plaintiff's motion seeking the issuance of a subpoena duces tecum directing the Warden of Kern Valley State Prison to produce the records necessary to identify the defendants. In the order, the Court provided a fifteen-day notice, in compliance with Federal Rule of Civil Procedure 45(b)(1), and at this juncture, the United States Marshal may now be directed to initiate service of the subpoena.

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1 However, the subpoena submitted by Plaintiff specifies a production date of August 9,
2 2013, which does not allow the Marshal sufficient time to serve the subpoena or the prison
3 sufficient time to respond once served.^{1,2}

4 Accordingly, it is HEREBY ORDERED that within **ten (10) days** from the date of service
5 of this order, Plaintiff's counsel shall resubmit the subpoena with an updated production date that
6 is at least forty-five days from the date of compliance with this order.

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9 IT IS SO ORDERED.

10 Dated: July 22, 2013

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE

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27 _____
28 ¹ At this time, both federal and state agencies are laboring under resource constraints.

² While the some of the document's fields may be edited by the Court if desired, the production date cannot.