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7 UNITED STATES DISTRICT COURT
8 EASTERN DISTRICT OF CALIFORNIA
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10 GERALDINE DARDEN,
11 Plaintiff,
12 vs.
13 TODD SPENCER, et al.,
14 Defendants.
15

1:12-cv-01001-EPG-PC

ORDER DIRECTING SERVICE OF
SUBPOENA DUCES TECUM UPON
SPENCER MEDICAL GROUP BY THE
UNITED STATES MARSHAL
WITHOUT PREPAYMENT OF COSTS

16 This is a civil rights action filed pursuant to 42 U.S.C. § 1983 by Plaintiff Geraldine
17 Darden, a state prisoner proceeding *pro se* and *in forma pauperis*. On July 8, 2016, the Court
18 issued an order granting Plaintiff's motion for the issuance of a subpoena upon Spencer
19 Medical Group, and providing the requisite notice to the parties that the Court intended, after
20 ten days, to issue the subpoena and direct the United States Marshals Service to effect personal
21 service. Fed. R. Civ. P. 4, 45; 28 U.S.C. § 1915(d). (ECF No. 78.)

22 Accordingly, it is HEREBY ORDERED that:

23 1. The Clerk of the Court shall forward the following documents to the United
24 States Marshals Service:

25 a. One (1) completed and issued subpoena *duces tecum* to be served on:

26 **Todd Spencer Radiology Group**
27 **1250 E. Almond Ave.**
Madera, CA 93637-5606

28 b. One (1) completed USM-285 form; and

1 c. Two (2) copies of this order, one to accompany the subpoena and one for
2 the Marshals Service.

3 2. Within **TWENTY (20) DAYS** from the date of this order, the Marshals Service
4 is **DIRECTED** to serve the subpoena in accordance with the provisions of Rule
5 45 of the Federal Rules of Civil Procedure.

6 3. The Marshals Service is **DIRECTED** to retain a copy of the subpoena in its file
7 for future use.

8 4. The Marshals Service **SHALL** effect **personal service** of the subpoena, along
9 with a copy of this order, upon the entity named in the subpoena pursuant to
10 Rule 45 of the Federal Rules of Civil Procedure and 28 U.S.C. § 566(c).

11 5. Within **TEN (10) DAYS** after personal service is effected, the Marshals Service
12 **SHALL** file the return of service, along with the costs subsequently incurred in
13 effecting service. Said costs shall be enumerated on the USM-285 form.

14
15 **IT IS SO ORDERED.**

16 Dated: **July 26, 2016**

17 */s/ Eric P. Grogan*
18 UNITED STATES MAGISTRATE JUDGE