1 2 3 <u>4</u> 5 6 7 UNITED STATES DISTRICT COURT EASTERN DISTRICT OF CALIFORNIA 8 9 10 FEDERICO HERNANDEZ, CASE NO. 1:13-cv-01625-MJS (PC) 11 Plaintiff, ORDER DIRECTING SERVICE OF SUBPOENAS ON WITNESSES BY THE 12 ٧. UNITED STATES MARSHAL WITHOUT PREPAYMENT OF COSTS 13 M. HERNANDEZ, et al., **SERVICE WITHIN FOURTEEN (14) DAYS** 14 Defendants. 15 16 Plaintiff is a state prisoner proceeding in forma pauperis in this civil rights action 17 brought pursuant to 42 U.S.C. § 1983. Trial is set for August 11, 2015. 18 The Court previously ordered Plaintiff to provide service information for each 19 witness being commanded to appear, and a money order made payable to each witness 20 as required for payment of witness fees and mileage. Plaintiff has submitted the required 21 information and money orders made payable to the witnesses A. Walker and D. Fischer, 22 being commanded to appear at trial on August 11, 2015. 23 Accordingly, IT IS HEREBY ORDERED that: 24 1. The Clerk of the Court is directed to forward the following documents to the 25 **United States Marshal:** 26 (1) Two (2) completed and issued subpoenas to be served on: 27 28

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2	Correctional Captain A. Walker
3	Pleasant Valley State Prison
4	24863 West Jayne Avenue
5	Coalinga, CA 93210
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7	Associate Warden D. Fischer
8	Pleasant Valley State Prison
9	24863 West Jayne Avenue
10	Coalinga, CA 93210
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12	(2) Two (2) completed USM-285 forms;
13	(3) One money order # 22601405070 in the amount of \$110.73, made
14	payable to A. Walker;
15	(4) One money order # 22601405081 in the amount of \$110.73, made
16	payable to D. Fischer; and
17	(5) One copy of this Order for each witness, plus an extra copy for the
18	Marshal.
19	2. Within fourteen (14) days from the date of this Order, the United State
20	Marshal is directed to serve the subpoenas and money orders o
21	witnesses A. Walker and D. Fischer in accordance with the provisions of
22	Rule 45 of the Federal Rules of Civil Procedure.
23	3. The United States Marshal shall effect personal service and a copy of thi
24	Order upon the named individuals in the subpoenas pursuant to Rule 45 of
25	the Federal Rules of Civil Procedure and 28 U.S.C. § 566(c) and sha
26	command all necessary assistance from the California Department of
27	Corrections and Rehabilitation to execute this Order. The United State

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Marshal shall maintain the confidentiality of all information provided by CDCR pursuant to this Order.

Within seven (7) days after personal service is effected, the United States Marshal shall file the return of service, along with the costs subsequently incurred in effecting service. Said costs shall be enumerated on the USM-285 form and shall include the costs incurred by the Marshal's office for photocopying additional copies of the subpoena and for preparing new USM-285 forms, if required.

IT IS SO ORDERED.

Dated: July 15, 2015 Isl Michael J. Seng
UNITED STATES MAGISTRATE JUDGE