



1 Sherriff's Office "for Deputy Gonzalez's full name and last known address" in order to locate  
2 Deputy Gonzalez for service on the complaint. (ECF No. 46). Plaintiff completed and returned  
3 the subpoena and form USM-285 (ECF No. 52), and the Court directed the United States  
4 Marshals Service to serve the subpoena. (ECF No. 53).<sup>2</sup>

5 On November 6, 2017, Plaintiff filed what the Court construes as a motion for sanctions.  
6 (ECF No. 63). According to Plaintiff, as defendant Gonzalez's former employer, KCSO was not  
7 being truthful when it represented that it lacked any an address for defendant Gonzalez. Plaintiff  
8 argues that KCSO would need an address from defendant Gonzalez for payment, tax, and other  
9 legal purposes. While Plaintiff does not state what, if any, information was provided to him, the  
10 Court notes that KCSO has represented to this Court that it "does not have a past or current  
11 residence address for the formerly employed Deputy." (ECF No. 59, p. 2). Plaintiff asks the  
12 Court to sanction KCSO for this statement because Plaintiff claims it is not possible that KCSO  
13 lacks any address, past or present, for this former employee.

14 Given Plaintiff's motion for sanctions and Plaintiff's challenge to KCSO's claim that it  
15 has no address whatsoever for Deputy Gonzalez, the Court will require KCSO to file a response  
16 to Plaintiff's motion.

17 Accordingly, based on the foregoing, IT IS ORDERED THAT KCSO has twenty-one  
18 days from the date of service of this order to respond to Plaintiff's motion (ECF No. 63), in  
19 particular to the assertion that, as defendant Gonzalez's former employer, KCSO should have an  
20 address for defendant Gonzalez.

21 IT IS SO ORDERED.

22 Dated: November 7, 2017

23 /s/ Eric P. Gray  
24 UNITED STATES MAGISTRATE JUDGE

25 <sup>2</sup> KCSO initially failed to respond to the subpoena. KCSO eventually filed a motion with the Court  
26 requesting additional time because "Through an apparent miscommunication between KCSO and its counsel the  
27 Office of Kern County Counsel (hereinafter "KCCO") . . . a response to Plaintiff's subpoena was not served in a  
28 timely fashion." (ECF No. 59, p. 1). On October 17, 2017, the Court granted KCSO's request for an additional  
fourteen days to respond to the subpoena. (ECF No. 60).