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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

REGINALD RAY YORK,  
  
                                    Plaintiff,  
  
                    v.  
  
GARCIA, *et al.*,  
  
                                    Defendants.

Case No. 1:15-cv-01828-ADA-BAM (PC)  
  
**ORDER DIRECTING PLAINTIFF TO  
SUBMIT FEES FOR UNINCARCERATED  
WITNESSES**  
  
**Witness Fees Due: July 17, 2023**

Plaintiff Reginald Ray York (“Plaintiff”) is a state prisoner proceeding *pro se* in this civil rights action pursuant to 42 U.S.C. § 1983. This matter is set for a jury trial to begin August 15, 2023 at 8:30 a.m. in Courtroom 1 (ADA) before District Judge Ana de Alba.

On December 27, 2021, Plaintiff submitted witness fees for his unincarcerated witnesses,<sup>1</sup> in anticipation of a March 1, 2022 trial date. (*See* ECF No. 152.) The trial has since been continued to August 15, 2023. (ECF No. 192.) In light of the age of the checks issued for the witness fees, Plaintiff and defense counsel reported during the April 5, 2023 status conference that the funds were returned to Plaintiff’s inmate trust account.

The witness fees for M. Becina, RN and Malvin U. Pallomina, NP are set forth below. The amount is based on the daily witness fee of \$40.00, plus round-trip mileage at the current

<sup>1</sup> Plaintiff submitted two different checks: Witness Fees for Malvin U. Pallomina in the amount of \$160.69 (State of California Check #198-1173595); and Witness Fees for M. Becina in the amount of \$130.72 (State of California Check #198-1173596).

1 reimbursement rate of \$0.655 per mile.<sup>2</sup> 28 U.S.C. § 1821.

2 Thus, if Plaintiff wishes to have these witnesses served with a summons to testify at trial,  
3 then Plaintiff must submit a separate money order, made out to **each** witness, in the amounts set  
4 forth below:

- 5 1. For M. Becina, RN, Plaintiff must submit a money order in the amount of **\$146.11**;<sup>3</sup> and
- 6 2. For Malvin U. Pallomina, NP, Plaintiff must submit a money order in the amount of  
7 **\$181.48**.<sup>4</sup>

8 Accordingly, it is HEREBY ORDERED that Plaintiff's deadline to submit the above-  
9 listed money order in the full amount for the unincarcerated witnesses to be served with summons  
10 to testify at trial is **July 17, 2023**. Plaintiff is advised that the Court cannot accept cash, and  
11 money orders cannot be made out to the Court, but **must be made out to the individual witness**  
12 **in that witness's name**.

13  
14 IT IS SO ORDERED.

15 Dated: **June 21, 2023**

16 /s/ Barbara A. McAuliffe  
17 UNITED STATES MAGISTRATE JUDGE

23 \_\_\_\_\_  
24 <sup>2</sup> As of January 1, 2023, the mileage reimbursement rate for a privately owned vehicle is \$0.655 per mile. U.S.  
25 General Services Administration, Privately Owned Vehicle (POV) Mileage Reimbursement Rates,  
<https://www.gsa.gov/travel/plan-book/transportation-airfare-pov-etc/privately-owned-vehicle-mileage-rates> (last  
visited June 21, 2023).

26 <sup>3</sup> Plaintiff reports that M. Becina, RN is located at Kern Valley State Prison (KVSP), 3000 West Cecil Avenue, P.O.  
Box 6000, Delano, CA 93216. It is 162 miles, round-trip, from that location to the courthouse.

27 <sup>4</sup> Plaintiff reports that Malvin U. Pallomina, NP is located at Medical Group Practices – Adventist Health Bakersfield  
28 Hospital, 2811 H. Street, Bakersfield, CA 93301-1913. It is 216 miles, round-trip, from that location to the  
courthouse.