

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

FRANK BACA ,

**Plaintiff.**

v.

MARTIN BITER, et al.,

## Defendants.

CASE NO. 1:15-cv-01916-LJO-MJS (PC)

**ORDER GRANTING MOTION TO VOID  
ISSUANCE OF SUBPOENAS DUCES  
TECUM FOR PLAINTIFF'S MEDICAL  
RECORDS AT HIGH DESERT STATE  
PRISON**

**(ECF Nos. 15 & 16)**

## UNITED STATES MARSHALS TO VOID SUBPOENA TO HIGH DESERT STATE PRISON

On April 25, 2017, the Court granted Plaintiff's motion for the issuance of subpoenas duces tecum for: 1) portions of Plaintiff's medical record to and 2) a roster of the Headquarters Utilization Management ("HUM") Committee members, and directed the United States Marshals Service to serve the requested subpoenas on the Litigation Coordinator at High Desert State Prison ("HDSP") and the Office of the CDCR Secretary, respectively. (ECF No. 15.)

On April 26, 2017, Plaintiff's counsel filed a declaration stating that HDSP had recently produced what appeared to be Plaintiff's entire medical record for Plaintiff's

1 inspection. (Decl. of W. Schmidt (ECF No. 16) ¶ 4.) Plaintiff's counsel states that a  
2 subpoena for Plaintiff's medical records is no longer necessary. (Id. ¶ 5.)

3 Accordingly, the subpoena for Plaintiff's medical records, issued to HDSP, is  
4 HEREBY VOIDED. The United States Marshals Service shall not serve the above-  
5 described subpoena on HDSP. The subpoena for the HUM Committee roster directed to  
6 the Office of the CDCR Secretary remains valid.

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8 IT IS SO ORDERED.

9 Dated: April 27, 2017

10 /s/ Michael J. Leng  
11 UNITED STATES MAGISTRATE JUDGE

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