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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

TONY ASBERRY,
Plaintiff,
v.
C. RELEVANTE, LOZOVYOY, FERRIS,
GODFREY,
Defendants.

Case No. 1:16-CV-01741-JLT-HBK
ORDER GRANTING PLAINTIFF'S
CONSTRUED MOTION FOR AN
EXTENSION TO PAY WITNESS FEES
(Doc. No. 234)

Pending is Plaintiff's "motion for specific information and court assistance" filed January 27, 2022. (Doc. No. 234). In his motion, Plaintiff explains his daughter went to a courthouse in Fresno, California to pay the fees for two witnesses he wished to subpoena for trial. (*Id.* at 3; *see also* Doc. Nos. 228, 233¹). Plaintiff does not provide the name or address of the courthouse or the date his daughter attempted to make payment. (Doc. No. 234 at 1-5). Plaintiff reports that despite his daughter providing the correct case number, she was unable to make any payment

¹ Plaintiff previously requested subpoenas and calculation of fees for two unincarcerated witnesses who refuse to voluntarily testify: Mr. Steve Fama of the Prison Law Office and Dr. Lopez from the Kern Valley State Prison. (Doc. No. 228). The Court granted Plaintiff's request but ordered Plaintiff that he must pay the appropriate witness and travel expenses for each witness no later than February 14, 2022. (Doc. No. 233).

1 because no results were found when the unidentified employee tried to locate the file for
2 Plaintiff's case. Plaintiff's motion also describes how his daughter spoke with an employee at an
3 "information desk" or "action desk." (*Id.* at 3). Because there is no "information desk" or
4 "action desk" at the U.S. District Court in Fresno the Court suspects that Plaintiff's daughter went
5 to the state courthouse instead of the Robert E. Coyle United States Courthouse. The Court
6 liberally construes the motion as requesting an extension of time to pay the witness fees, which
7 the Court will grant.

8 Plaintiff is reminded, per this Court's previous Order, that he must submit money orders
9 made payable to each witness. (*See* Doc. No. 233) (directing Plaintiff to pay Mr. Steve Fama a
10 total of \$251.77, and to pay Dr. Lopez a total of \$134.77). As there are multiple courthouses in
11 Fresno, Plaintiff should direct his representative to go to the Robert E. Coyle United States
12 Courthouse located at 2500 Tulare St, Fresno, CA 93721.

13 Accordingly, it is **ORDERED**:

14 Plaintiff's motion for specific information and court assistance, construed as a motion for
15 extension of time to pay witness fees (Doc. No. 234) is **GRANTED** to the extent that
16 Plaintiff shall have fourteen (14) days from the date of service of this Order to make
17 payment of the witness fees to the Clerk's Office.

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19 Dated: March 10, 2022

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21 HELENA M. BARCH-KUCHTA
22 UNITED STATES MAGISTRATE JUDGE
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