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5 UNITED STATES DISTRICT COURT  
6 EASTERN DISTRICT OF CALIFORNIA

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8 MONICO J. QUIROGA, III,  
9 Plaintiff,

10 v.

11 C. COOPER, J. MORENO, et al.,  
12 Defendants.

Case No. 1:17-cv-00004-DAD-EPG (PC)

ORDER GRANTING LEAVE FOR  
PLAINTIFF TO REQUEST ISSUANCE  
OF A SUBPOENA TO LOCATE  
SERVICE ADDRESS FOR  
DEFENDANT C. COOPER AND J.  
MORENO

RESPONSE REQUESTED WITHIN 30  
DAYS

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14 Monico J. Quiroga, III (“Plaintiff”) is a prisoner<sup>1</sup> proceeding *pro se* and *in forma*  
15 *pauperis* in this civil rights action filed pursuant to 42 U.S.C. § 1983. This case is currently  
16 proceeding on Plaintiff’s claim for excessive use of force brought under the Fourteenth  
17 Amendment against defendants C. Cooper and J. Moreno. (Doc. No. 19.) Defendant C. Cooper  
18 was a deputy and defendant J. Moreno was a guard at Kern County Sheriff’s Office at the time  
19 of the incident alleged in the complaint, which occurred on September 25, 2015.

20 On July 26, 2017, the Court issued an Order directing the U.S. Marshal to execute  
21 service of process upon defendants Cooper and Moreno. (Doc. No. 22.) On November 27,  
22 2017, the summons for defendants Cooper and Moreno was returned unexecuted. (Doc. No.  
23 30.) It was noted that the Kern County Sheriff’s Office refused acceptance of the summons  
24 because the defendants were no longer employees. (*Id.*)

25 On December 26, 2017, the undersigned entered an Order requesting assistance from  
26 the Kern County Counsel in locating an appropriate service address for defendants Cooper and

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<sup>1</sup> Plaintiff was a pretrial detainee at time of the incident giving rise to the Complaint. He is presently a  
state prisoner at High Desert State Prison in Susanville, California.

1 Moreno. (ECF No. 35.) The Order requested that Kern County Counsel respond with the  
2 service address service for defendants C. Cooper and J. Moreno within fourteen days of service  
3 of the Order.

4 Kern County Counsel did not respond to the Court's December 26, 2017 Order.

5 Accordingly, the Court ORDERS as follows:

6 Within thirty (30) days of this Order, Plaintiff may request the issuance of a subpoena  
7 *duces tecum* requesting all documents regarding defendants C. Cooper and J. Moreno's contact  
8 information, including but not limited to their current and/or last known mailing address and  
9 any identifying information that would assist in locating them.

10 Additionally, the Clerk of Court is directed to serve Kern County Counsel (County  
11 Administration Building, 1115 Truxtun Avenue, 4th Floor, Bakersfield, California 93301) with  
12 a copy of this order.

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14 IT IS SO ORDERED.

15 Dated: January 17, 2018

16 /s/ Eric P. Grogan  
17 UNITED STATES MAGISTRATE JUDGE  
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