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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
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11 WILLIAM J. GRADFORD,

12 Plaintiff,

13 v.

14 MCDUGALL, et al.,

15 Defendants.
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1:17-cv-00201-DAD-GSA-PC

**ORDER GRANTING PLAINTIFF'S
REQUEST TO PROCEED WITHOUT
ISSUANCE OF SUBPOENA
(ECF No. 51.)**

17 William J. Gradford ("Plaintiff") is a prisoner proceeding *pro se* and *in forma pauperis*
18 with this civil rights action pursuant to 42 U.S.C. § 1983. This action now proceeds with
19 Plaintiff's initial Complaint, filed on February 13, 2017, against defendants Tiexiera and
20 McCarthy for retaliation in violation of the First Amendment. (ECF No. 1.)

21 On March 23, 2018, the court issued a discovery and scheduling order opening discovery
22 and setting out pretrial deadlines for the parties to this case. (ECF No. 33.) The deadline to
23 complete discovery, including the filing of motions to compel, expired on August 23, 2018. (Id.)
24 The deadline for the parties to file pretrial dispositive motions is October 22, 2018. (Id.)

25 On September 12, 2018, the court issued an order denying Plaintiff's pending motions to
26 compel and granting Plaintiff thirty days in which to file a request for issuance of a subpoena
27 *duces tecum* directed to the Stanislaus County Sheriff's Department for production of documents.
28 (ECF No. 50.) The order informed the parties that if Plaintiff did not file a request for issuance

1 of a subpoena within thirty days the court would consider the discovery matter closed and the
2 case would proceed without further notice. (Id. at 9.)

3 On September 24, 2018, Plaintiff filed a request for this case to proceed without the
4 issuance of a subpoena *duces tecum*. (ECF No. 51.) The court finds good cause to grant
5 Plaintiff's request.

6 Accordingly, IT IS HEREBY ORDERED that Plaintiff's request for this case to proceed
7 without the issuance of a subpoena *duces tecum*, filed on September 24, 2018, is GRANTED.

8
9 IT IS SO ORDERED.

10 Dated: September 26, 2018

/s/ Gary S. Austin
11 UNITED STATES MAGISTRATE JUDGE