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6 UNITED STATES DISTRICT COURT  
7 EASTERN DISTRICT OF CALIFORNIA  
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9 CRAIG WILLIAM VOSS,

10 Plaintiff,

11 v.

12 BRIAN BAKER,

13 Defendant.  
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Case No. 1:17-cv-00626-EPG (PC)

ORDER ON PLAINTIFF’S MOTION  
REQUESTING STATUS OF AND/OR  
RULING ON MOTION FOR SUBPOENA  
DUCES TECUM ON NON-PARTY CDCR

(ECF NO. 24)

16 Craig Voss (“Plaintiff”) is a state prisoner proceeding *pro se* and *in forma pauperis* in  
17 this civil rights action filed pursuant to 42 U.S.C. § 1983. On November 20, 2017, Plaintiff  
18 filed a motion requesting status of and/or ruling on motion for subpoena *duces tecum* on non-  
19 party California Department of Corrections and Rehabilitation (“CDCR”). (ECF No. 24).  
20 Plaintiff requests a copy of the order on his motion requesting that a subpoena *duces tecum* be  
21 issued upon the CDCR, or if there has been no order, that the Court issue one.

22 The Court has not yet ruled on Plaintiff’s motion requesting that a subpoena *duces*  
23 *tecum* be issued upon the CDCR. Additionally, the Court will not do so at this time. A  
24 subpoena has already been served on the Board of Vocational Nursing. (ECF No. 25). If the  
25 Board provides the requested information, Plaintiff’s motion requesting that a subpoena *duces*  
26 *tecum* be issued upon the CDCR will likely be moot. Accordingly, in order to preserve

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1 resources,<sup>1</sup> the Court will not rule on Plaintiff's motion requesting that a subpoena *duces tecum*  
2 be issued upon the CDCR at this time.

3 Therefore, Plaintiff's motion requesting status of and/or ruling on motion for subpoena  
4 *duces tecum* on non-party CDCR is DENIED.

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6 IT IS SO ORDERED.

7 Dated: November 27, 2017

8 /s/ Eric P. Groj  
9 UNITED STATES MAGISTRATE JUDGE

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28 <sup>1</sup> While Plaintiff's motion requesting status of and/or ruling on motion for subpoena *duces tecum* on non-party CDCR states that Plaintiff could personally serve the subpoena on R. R. Litt, the CEO of Health Care Services at California Correctional Institution, the Federal Rules of Civil Procedure do not allow it (Fed. R. Civ. P. 45(b)(1)).