

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

ANGELINA NUNES, et al.,

Case No. 1:17-cv-00633-DAD-SAB

Plaintiffs.

**ORDER DENYING STIPULATION
REGARDING JUVENILE CASE RECORDS**

COUNTY OF STANISLAUS, et al.,

Defendants.

On May 5, 2017, Plaintiffs Angelina Nunes, Emanuel Alves, and two minor children filed
action against the County of Stanislaus, Kristen Johnson, and Eric Anderson alleging claims
upon the removal of the minor children by social workers. (ECF No. 1.) On October 19, 2017,
cheduling order issued in this action. (ECF No. 24.) On November 2, 2017, the parties filed a
tion to require the Clerk of the Juvenile Court to produce records contained in the juvenile
dency case files. (ECF No. 25.) An informal teleconference was held on November 3, 2017, to
s whether this Court had jurisdiction to order the Juvenile Court to produce such records.
No. 26.)

The parties filed an amended stipulation on November 9, 2017, addressing the confidentiality of the records, but did not address the jurisdictional issue. (ECF No. 27.) On November 13, 2017, an order issued requiring the parties to provide supplemental briefing regarding this Court's jurisdiction over the Juvenile Court or to file a notice of withdrawal of the stipulation by November 16, 2017.

1 (ECF No. 28.) The parties did not provide supplemental briefing nor was a notice of withdrawal of
2 the stipulation filed.

3 As discussed in the November 13, 2017 order, the juvenile court is not a party to this action
4 and therefore obtaining discovery from the third party must proceed under Rule 45 of the Federal
5 Rules of Civil Procedure. The parties have provided no indication that a subpoena was served on the
6 Juvenile Court pursuant to Rule 45. Accordingly, the stipulation regarding juvenile case records is
7 HEREBY DENIED.

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9 IT IS SO ORDERED.

10 Dated: November 17, 2017


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UNITED STATES MAGISTRATE JUDGE