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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

PATRICK GLENN GOODWIN,	)	Case No. 1:17-cv-01708-SAB (PC)
	)	
Plaintiff,	)	
	)	ORDER DENYING PLAINTIFF’S SECOND
v.	)	MOTION FOR SUBPOENAS AS PREMATURE
	)	
OFFICER BILLINGS, et al.,	)	[ECF No. 20]
	)	
Defendants.	)	
	)	
	)	
	)	

Plaintiff Patrick Glenn Goodwin is appearing pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.

Currently before the Court is Plaintiff’s second motion for issuance of subpoenas, filed May 7, 2018. Plaintiff’s motion must be denied as premature.

As Plaintiff was advised in the Court’s First Informational Order, discovery in this action does not open until after Defendants’ file an answer to the complaint and no discovery may be initiated until the Court issues a discovery order or otherwise orders that discovery begin. (ECF No. 5, Order at 4.) On March 19, 2018, the Court directed the United States Marshal to serve the second amended complaint on Defendants Billings and Yang. On April 20, 2018, the waiver of service forms for both Defendants were returned signed. Defendants have not yet filed responded to the complaint and the time frame to do so has not expired. Thus, the Court has not yet issued the discovery order opening discovery in this matter. Furthermore, Plaintiff is again reminded that discovery matters are to be

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conducted between the parties and, absent a need for intervention, should not be served on the Court.  
(ECF No. 5, Order at 4.) Accordingly, Plaintiff's second motion for discovery is denied, without  
prejudice, as premature.

IT IS SO ORDERED.

Dated: May 9, 2018

  
UNITED STATES MAGISTRATE JUDGE