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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

ETUATE SEKONA,  
  
                                  Plaintiff,  
  
                  v.  
  
M. FRANCIS,  
  
                                  Defendant.

No. 1:19-cv-00529-KES-HBK (PC)  
  
ORDER APPROVING USE OF ATTORNEY  
ADMISSIONS FUND FOR PAYMENT OF  
WITNESS TRAVEL FEES

Plaintiff Etuate Sekona is a state prisoner proceeding pro se and *in forma pauperis* on his Eighth Amendment claim against defendant Francis for deliberate indifference to serious medical need. *See* ECF No. 127 at 2. The case is currently scheduled for trial before Judge Kirk E. Sherriff on September 10, 2024. *Id.* at 1. Plaintiff previously paid the required witness and travel fees by money order for nonincarcerated witnesses Commagay and Cook in February 2023. *See* Docket Entry of 02/03/2023. Through no fault of plaintiff, the trial in this case was previously scheduled and continued multiple times. ECF Nos. 65, 68, 83, 98, 110, 120. The federal mileage reimbursement rate applicable to witness travel fees increased on January 1, 2024, and the court accordingly assessed an additional fee of \$24.00 (\$12.00 for each nonincarcerated witnesses) to account for those increased costs on June 18, 2024. *See* ECF No. 128 at 2. To date, plaintiff has been unable to pay the additional travel fees.

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1 As provided by the Court’s Plan for the Administration of the Non-Appropriated Fund,  
2 § 1.03(d) (as amended July 1, 2024; *see* General Order 682) (the “Fund”), and the Guide to  
3 Judiciary Policy (“Guide”), local attorney admissions funds may be used for “payment of witness  
4 fees and other expenses for indigent pro se civil litigants” if doing so inures to the benefit of the  
5 bench and bar in the administration of justice. *See* Guide, Vol. 4, Ch. 6, § 670.20(b)(6); *see also*  
6 General Order 682, Section 1.03(d) (“Expenditures from the Fund are to be used for the benefit of  
7 the bench and bar in the administration of justice. After considering the recommendations of the  
8 [Judicial Advisory Committee] or other judges, the Chief District Judge must enter an order  
9 authorizing all expenditures, except as provided in Section 2.02 ‘Pro Bono Expenses.’”).

10 Under this authority, an appropriation of twenty-four dollars (\$24.00) from the Fund  
11 would inure to the benefit of the bench and bar by permitting a long-delayed trial to proceed with  
12 the participation of plaintiff’s witnesses.

13 Accordingly, the undersigned authorizes the Finance Department to issue two payments of  
14 \$12.00 each from the Non-Appropriated Fund to the following individuals so that they may  
15 appear as witnesses at trial in *Sekona v. Francis*, E.D. Cal. Case No. 1:19-cv-00529:

16 **Correctional Officer Commagay**, Kern Valley State Prison, P.O. Box 3130, Delano, CA  
17 93216-6000

18 **Melinda Cook**, Kern Valley State Prison, P.O. Box 3130, Delano, CA 93216-6000

19 The presiding judges in this matter will issue subpoenas and updated summonses to the witnesses  
20 as appropriate.

21 IS SO ORDERED.

22 DATED: August 30, 2024.

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26 CHIEF UNITED STATES DISTRICT JUDGE  
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