

1 For the reasons stated below, Plaintiff's motion to modify the due date for him to send
2 money orders for witness fees to the Court will be denied as moot. In addition, Plaintiff will be
3 ordered to complete and return subpoenas and USM-285 forms for Brooke Schriber and Marci
4 Snyder as well as for Defendants Deputy Eusebia Valdez, Sergeant Monique Putnam and Deputy
5 Alfredo Alcalá. Plaintiff will be given ten days to do so.

6 I. MOTION TO MODIFY DUE DATE OF WITNESS FEES

7 On February 13, 2025, Plaintiff filed a motion to modify the due date to send in the
8 witness fees he must pay in this case. ECF No. 74. Since the filing of that motion, it appears that
9 on or around February 28, 2025, Plaintiff submitted two money orders for witness fees to the
10 Court. Accordingly, Plaintiff's motion to modify the due date to submit those fees to the Court
11 will be denied as moot.

12 II. ORDER REGARDING SUBPOENAS AND USM-285 FORMS

13 On or around February 28, 2025, Plaintiff submitted the required fees made payable to
14 witnesses Brooke Schriber and Marci Snyder. These individuals are not defendants in this matter.
15 Plaintiff, however, has alleged that Witness Schriber can testify regarding the retaliation that is at
16 issue in this case. See ECF No. 55, 62. Plaintiff also contends that as the person who is in charge
17 of the mailroom at Kings County Jail, Witness Snyder can testify regarding the policies and
18 procedures of the mailroom. See ECF Nos. 58, 61. In addition, Plaintiff has requested that
19 Defendants Deputy Alfredo Alcalá; Deputy Eusebia Valdez, and Sergeant Monique Putnam – all
20 of whom are also unincarcerated witnesses who may refuse to testify – be subpoenaed to testify.
21 See ECF No. 60.

22 Given these facts, the Clerk of Court will be directed to send Plaintiff a sufficient number
23 of subpoenas and USM-285 forms to ensure the attendance of each of these individuals at trial.
24 Plaintiff will then be directed to complete the forms and return them to the Court so that the
25 witnesses can be served by the United States Marshal. Given the short time remaining between
26 now and the trial date, Plaintiff will only be given ten days to comply with this order.

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Accordingly, IT IS HEREBY ORDERED that:

1. The Clerk of Court shall send Plaintiff the following:

- a. Five blank subpoena forms, and
- b. Five blank USM-285 forms.

2. Within ten days from the date of this order, Plaintiff shall COMPLETE the subpoena and summons forms in their entirety with the correct information for all five witnesses and RETURN them to the Court.

Upon receipt of the documents from Plaintiff, the Court will order the United States Marshal to serve the subpoenas along with the money orders on the appropriate parties.

IT IS SO ORDERED.

Dated: March 6, 2025

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE