

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

GALE J. YOUNG, et al.

Plaintiffs,

v.

CORCORAN STATE PRISON VISITING
STAFF,

Defendants.

No. 1:24-cv-00776-SAB (PC)

ORDER ALLOWING OFFICE OF
ATTORNEY GENERAL TO RESPOND, BY
WAY OF SPECIAL APPEARANCE, TO
PLAINTIFF'S RESPONSE AS TO STATUS
OF SUBPOENA SERVED ON LITIGATION
COORDINATOR AT CORCORAN STATE
PRISON

(ECF No. 23)

Plaintiff is proceeding pro se and in forma pauperis in this action filed pursuant to 42 U.S.C. § 1983.

On October 29, 2024, the Court found that Plaintiff's first amended complaint stated a cognizable claim for improper denial of regular visitation privileges with his family while detained at Corcoran State Prison against the Doe Defendant(s). (ECF No. 16.)

The Court allowed Plaintiff to issue a subpoena to Corcoran State Prison in order to identify the Doe Defendants described in the operative complaint. (ECF No. 15, 16.) On November 15, 2024, Plaintiff completed and returned the subpoena. (ECF No. 17.)

On November 19, 2024, the Court directed service of the subpoena by the United States Marshal on the Litigation Coordinator at Corcoran State Prison providing a thirty-day response deadline.¹ (ECF No. 18.) The Court directed that any response and/or responsive documents be produced to Plaintiff at his address of record. (Id. at 2.)

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¹ On November 26, 2024, a proof of personal service of the subpoena was returned by the United States Marshal. (ECF No. 19.)

1 On February 28, 2025, Plaintiff informed the Court that he has not received any
2 information from the litigation coordinator at Corcoran in response to the served subpoena. (ECF
3 No. 23.)

4 On the form subpoena, Plaintiff directed the subpoena to Corcoran State Prison C-yard
5 visiting staff "C-yard mail room" and requested "visiting documents related to Gale Joseph
6 Young BM 2907 grievance log #426859. (ECF No. 18.) Thus, Plaintiff's subpoena seeks
7 responsive documents that reveal the names of the staff working in the visiting center in 2022-
8 2024 at Corcoran State Prison C-yard. These documents are relevant and proportional to
9 Plaintiff's claims in this case. Fed. R. Civ. P. 26(b)(1); Fed. R. Civ. P. 45(d)(1) advisory
10 committee's note to 1970 amendment ("[T]he scope of discovery through a subpoena is the same
11 as that applicable to Rule 34 and other discovery rules.").

12 Given the proof of service of the subpoena and Plaintiff's contention that he has not
13 received a response from the Litigation Coordinator, the Court will HEREBY ALLOW the Office
14 of the Attorney General, by way of special appearance, to address Plaintiff's contention if they
15 wish. Otherwise, the Court will address the Plaintiff's request.

16 Accordingly, it is HEREBY ORDERED that:

- 17 1. The Clerk of Court is directed to serve a copy of Plaintiff's response to the status
18 of the subpoena (ECF No. 23) on Supervising Deputy Attorney General, Lawrence
19 Bragg; and
- 20 2. Mr. Bragg may file a response to Plaintiff's response on or before **March 21,**
21 **2025.**

22
23 IT IS SO ORDERED.

24 Dated: **March 7, 2025**



25 STANLEY A. BOONE
26 United States Magistrate Judge
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