IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

Jeffrey D. McDonald,

No. CIV 06-2404-RT

VS.

ORDER REGARDING SUBPOENA AND OTHER DOCUMENTS SUBMITTED BY PLAINTIFF McDONALD AUGUST 17, 2011

Roseanne Campbell, et al.

The court has received and reviewed the documents submitted by Plaintiff Jeffrey McDonald ("McDonald") in response to the court's order filed July 26, 2011: the completed subpoena duces tecum form for third party witness M. Williams and the completed USM-285 form as to M. Williams. After reviewing the documents, the court finds that they have not been completed in accordance with the directions on the documents and therefore will not be served by the U.S. Marshals on the witness.

The court orders the Clerk of the Court to re-issue a subpoena duces tecum in this case and send plaintiff two USM-285 forms, one instruction sheet, and the subpoena duces tecum, so that McDonald can attempt to complete the documents correctly so they may be served by the U.S. Marshals. The court reminds McDonald that it is his responsibility to provide accurate and

1

sufficient information that will identify the individual to be served, including the first and last name and a street address where the individual may be served. Also, the court instructs McDonald to carefully read the forms and fill in the information requested in the appropriate box.

Within fifteen days from the date of this order, plaintiff shall complete the attached Notice of Submission of Documents and submit the following documents to the court:

- a. the completed Notice of Submission of Documents;
- b. one completed subpoena duces tecum for M. Williams;
- c. one completed USM-285 form for M. Williams; and
- d. two copies of the subpoena duces tecum.

Upon receipt of those documents, if they are filled out correctly, the court will direct the United States Marshal to serve Williams with the subpoena duces tecum pursuant to Federal Rule of Civil Procedure 45 without payment of costs. Plaintiff is again hereby notified that, to effectuate service of process, he is responsible for the payment of witness fees and a mileage fee at the time the subpoena is served. See Federal Rule of Civil Procedure 45(b)(1).

DATED: August 23, 2011

26

ROBERT J. TIMLIN

ROBERT J. TIMLIN United States District Judge

1			
2			
3			
4			
5			
6			
7			
8	IN THE UNITED STATES DISTRICT COURT		
9	FOR THE EASTERN DISTRICT OF CALIFORNIA		
10			
11		Jeffrey D. McDonald,	No. CIV 06-2404-RT
12	VS.		
13			NOTICE OF SUBMISSION
14		Roseanne Campbell, et al	OF DOCUMENTS
15		/	
16		Plaintiff hereby submits the foll	owing documents in compliance with the court's
17	order filed _	;	
18	completed subpoena duces tecum form for third party witness M. Williams		
19			-285 form as to M. Williams
20		two copies of th	e completed subpoena duces tecum as to M.
21		vv mams	
22	DATED:		
23			
24			Plaintiff
25			1 mutui
26			