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

ANTHONY R. TURNER,

Plaintiff,

No. 2: 09-cv-3445 GEB KJN P

vs.

WILLIAM G. DOUGLAS, et al.,

Defendants.

ORDER

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Plaintiff is a state prisoner proceeding without counsel with a civil rights action pursuant to 42 U.S.C. § 1983. On October 12, 2010, plaintiff filed a motion for subpoenas. Plaintiff appears to request that the court send him subpoenas so that he may serve defendants with process. Plaintiff claims that defendants will evade service by the U.S. Marshal.

On October 7, 2010, the court ordered the U.S. Marshal to serve process on defendants. Plaintiff's claim that defendants will evade process is not well supported. If the U.S. Marshal has difficulty serving process, the court will issue further orders.


On October 13, 2010, plaintiff filed a motion for declaratory judgment. The purpose of this pleading is not clear, as the amended complaint on which this action is proceeding seeks declaratory judgment. For these reasons, the motion for declaratory judgment is disregarded.

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Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff's motion for subpoenas (Dkt. No. 37) is denied as unnecessary;
2. Plaintiff's motion for declaratory judgment (Dkt. No. 38) is disregarded.

DATED: October 28, 2010

  
KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE

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