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

JOSEPH ROBINSON,
Plaintiff,

No. CIV 2:10-cv-2464-MCE-JFM (PS)

vs.

JEFF CUNAN,
Defendant.

ORDER

_____/

On December 20, 2010, plaintiff submitted a letter to the Clerk of the Court for the issuance of subpoenas.¹ Subpoenas are governed by Fed. R. Civ. P. 45. The purpose of a subpoena, in general, is to direct a person (1) to testify, (2) to produce documents, information, or tangible things, or (3) to permit the inspection of premises. Fed. R. Civ. P. 45(a)(1)(A)(iii). The Clerk of the Court “must issue a subpoena, signed *but otherwise in blank*, to a party who requests it.” Rule 45(a)(3) (emphasis added). Here, plaintiff attached multiple completed subpoenas for the Clerk’s signature. This is procedurally improper. Therefore, plaintiff’s request is denied.

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¹ The court acknowledges defendant’s opposition to the request for subpoenas. Any opposition to or request to quash the subpoenas shall be made in accordance with Rule 45(c)(3).

1 Further, upon review of the submitted subpoenas, IT IS HEREBY ORDERED
2 that insofar as plaintiff subpoenas any person for a January 13, 2011 hearing, any party or non-
3 party in receipt of said subpoena need not reply, either by complying or moving to quash the
4 subpoena, as there is no hearing in this matter scheduled for that date.

5 DATED: December 22, 2010.

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8 UNITED STATES MAGISTRATE JUDGE

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