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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

THOMAS JOHN HEILMAN,
Plaintiff,
v.
C. CHERNISS, et al.,
Defendants.

No. 2:11-cv-0042-JAM-EFB P

ORDER

Plaintiff, a state prisoner proceeding without counsel in an action brought under 42 U.S.C. § 1983, has submitted to the U.S. Marshal a subpoena form for trial witness L. Lesane along with a cashier’s check for the witness fee and travel expenses for Mr. Lesane and a copy of this court’s order granting plaintiff leave to proceed in forma pauperis. See ECF Nos. 105 at 8 (pretrial order informing plaintiff of the items he must submit to have his subpoena served by the Marshal) & 120 (defense counsel declaration informing that Mr. Lesane’s travel expenses for one day of trial would total \$40.48 and the daily witness fee is \$40). Plaintiff has mistakenly addressed the cashier’s check to the Marshal rather than Mr. Lesane. ECF No. 105 at 9 (directing plaintiff to submit these expenses by “a money order payable to the witness”). To ensure service of the subpoena on Mr. Lesane despite this minor irregularity, the court orders as follows:

1. The U.S. Marshal is directed to serve the subpoena submitted by plaintiff on Sgt. L. Lesane at the address provided by plaintiff (1600 California Dr., Vacaville, CA, 95696);

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2. The U.S. Marshal is directed to process the check provided by plaintiff for the witness fee and travel expenses for L. Lesane and provide a check in the amount of \$80.48 to Mr. Lesane at the time of service of the subpoena.

So ordered.

DATED: February 25, 2015.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE