

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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

ANTHONY JONES,

Plaintiff,

No. 2:11-cv-0192 MCE EFB P

vs.

TOFT, et al.,

Defendants.

ORDER

Plaintiff is a state prisoner proceeding without counsel in an action brought under 42 U.S.C. § 1983. On February 22, 2013, the court appointed Dr. Willard Fee as a neutral expert to assist the court under Federal Rule of Evidence 706. Dckt. No. 122. The court directed Dr. Fee to review relevant records and perform an examination of plaintiff. *Id.*

Dr. Fee has asked to review relevant radiological images of plaintiff. The U.S. Marshal executed Rule 45 subpoenas on DRI Scripps and Mercy San Juan Medical Center in January 2013 on behalf of plaintiff for these images. Dckt. Nos. 120, 121. These non-parties have thus far not sought to quash the subpoenas, but the court does not have information on whether the subpoenas have been complied with. In order to facilitate the neutral expert's review of the


////

////

1 images, plaintiff shall inform the court within seven (7) days of the date of this order whether he
2 has received the documents and images subpoenaed from DRI Scripps and Mercy San Juan
3 Medical Center.

4 SO ORDERED.

5 Dated: March 22, 2013.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE

6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26