

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

TERRENCE LAMONT DAVIS,

Plaintiff,

No. 2:11-cv-1027 WBS CKD P

vs.

SACRAMENTO COUNTY JAIL, et al.,

Defendant.

ORDER

\_\_\_\_\_ /

Plaintiff is a California prisoner proceeding pro se with an action for violation of civil rights under 42 U.S.C. § 1983. Plaintiff’s remaining claims arise from events occurring April 22, 2010 while plaintiff was incarcerated at the Sacramento County Jail. Plaintiff claims that on that day, defendants caused plaintiff to suffer injuries including “head trauma.”

On June 27, 2012, defendants served a subpoena on the litigation coordinator at plaintiff’s current place of incarceration, California State Prison, Corcoran, for any medical records pertaining to plaintiff which were generated since April 22, 2010. Plaintiff has filed a motion to quash the subpoena. He argues that any medical records in the possession of anyone at the California Department of Corrections and Rehabilitation (CDCR) are not relevant in this action since he was not transferred to CDCR until July 7, 2010.

////

1           Generally speaking, defendants are entitled to discover any evidence relevant to  
2 the pending claims. Fed. R. Civ. P. 26(b)(1). It appears plaintiff's medical records created since  
3 the date of the incident at issue are relevant in determining the extent of plaintiff's injuries.  
4 Furthermore, there may be information in plaintiff's CDCR medical records concerning the  
5 events at issue themselves as it is at least possible that CDCR medical staff would obtain medical  
6 records from the Sacramento County Jail in order to provide plaintiff with appropriate medical  
7 care.

8           Accordingly, IT IS HEREBY ORDERED that plaintiff's August 2, 2012 motion  
9 to quash the subpoena served by counsel for defendants on June 27, 2012 upon the litigation  
10 coordinator at California State Prison, Corcoran is denied.

11 Dated: September 13, 2012

12   
13 \_\_\_\_\_  
14 CAROLYN K. DELANEY  
15 UNITED STATES MAGISTRATE JUDGE

16 1  
davi1027.mtq