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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

TERRYLYN MCCAIN,
Plaintiff,
v.
MANGHAM, et al.,
Defendants.

No. 2:11-cv-01265-KJM-AC

ORDER

This matter is before the undersigned pursuant to Local Rule 302(c)(21). Plaintiff has submitted a request for service of six subpoenas to produce documents, directed to various parties. Plaintiff, however, is not proceeding in forma pauperis in this matter. Accordingly, an order directing the U.S. Marshal’s Service (USM) to serve plaintiff’s subpoenas is not appropriate at this time. See 28 U.S.C. § 1915(d) (directing the USM to serve documents on behalf of parties proceeding in forma pauperis). Parties who are not proceeding in forma pauperis must personally serve the third party to whom the subpoena is addressed. Fed. R. Civ. P. 45(b). If plaintiff is unable to serve the subpoenas in question herself for financial reasons she must first obtain the court’s leave to proceed in forma pauperis in this matter. Once the court has granted plaintiff’s motion to proceed in forma pauperis, it can consider directing the USM to serve the subpoenas.

Accordingly, the court will order plaintiff to show cause why an order directing the USM to serve the subpoenas in question should issue. In response to the court’s order, **plaintiff must**


1 **file an application to proceed in forma pauperis in order for a court order directing the**
2 **USM to serve the subpoenas to issue.** In addition, plaintiff should explain the relevance of the
3 information sought and show that the records are obtainable only through the identified third-
4 party. Fed. R. Civ. P. 26, 45.

5 In accordance with the foregoing, THE COURT HEREBY ORDERS that:

- 6 1. Plaintiff shall show cause in writing within fourteen (14) days of the date of this order
7 why an order should issue directing the USM to serve plaintiff's subpoenas;
- 8 2. The Clerk of the Court shall attach copies of plaintiff's subpoenas to this order when it
9 is served; and
- 10 3. The Clerk of the Court shall update plaintiff's address for service to the one appearing
11 on her most recent piece of mail:

12 TerrLyn McCain
13 BOP # 81618-053-65
14 FCI Victorville Medium II
15 Satellite Camp
16 P.O. Box 5300
17 Adelanto, CA 92301

18 DATED: March 9, 2016

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21 ALLISON CLAIRE
22 UNITED STATES MAGISTRATE JUDGE
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