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

SAMMY R. QUAIR, SR.,

Plaintiff,

No. CIV S-11-2293 CKD P

vs.

GERTZ, Sheriff,

Defendant.

ORDER

_____ /

Plaintiff is a state prisoner proceeding pro se and in forma pauperis pursuant to 42 U.S.C. § 1983. On April 3, 2012, plaintiff filed a motion seeking subpoena forms so that he could obtain statements from defendants, medical records, and other documents. (Dkt. No. 38.) Per the scheduling order, the parties may conduct discovery until June 15, 2012, and all requests for discovery pursuant to Fed. R. Civ. P. 31, 33, 34 or 36 shall not be served later than sixty days prior to that date. (Dkt. No. 32.) Plaintiff is advised that these Rules set forth the procedures for obtaining documents and statements from defendants; subpoenas are not appropriate at this stage of the proceedings. Therefore plaintiff's motion will be denied. However, in light of plaintiff's need for clarification of the discovery process, the deadline for discovery requests shall be extended for 14 days after service of this order.

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Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff's April 3, 2012 motion for issuance of subpoenas (Dkt. No. 38) is denied; and
2. All requests for discovery pursuant to Fed. R. Civ. P. 31, 33, 34 or 36 shall not be served later than 14 days after service of this order.

Dated: April 24, 2012



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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