

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  
27  
28

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROBERT BENYAMINI,  
Plaintiff,  
v.  
M. BLACKBURN, et al.,  
Defendants.

No. 2:13-cv-0205 MCE AC P

ORDER

Plaintiff has filed a motion requesting service of subpoenas upon defendants in preparation for trial (ECF No. 114) and a motion to supplement the motion with copies of the subpoenas (ECF No. 113).


The motion to supplement will be denied because the court is in possession of the subpoenas and finds no reason to file them in this case. Upon review of the subpoenas, the motion for court ordered service of the subpoenas will also be denied. The subpoenas submitted by plaintiff seek to obtain the mental health records for defendants Marzan and Blackburn. Not only does plaintiff fail to establish that the requested records are sufficiently relevant to this action to warrant the disclose of such sensitive information, but discovery in this case has been closed for nearly three years (see ECF No. 44 (granting final extension of discovery deadline)). Plaintiff may not evade this deadline through the use of supboenas.

///

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  
27  
28

Accordingly, IT IS HEREBY ORDERED that plaintiff's motion requesting service of subpoenas (ECF No. 114) and motion to supplement (ECF No. 113) are DENIED.

DATED: October 4, 2017

  
\_\_\_\_\_  
ALLISON CLAIRE  
UNITED STATES MAGISTRATE JUDGE