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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LONNIE WILLIAMS,
Plaintiff,
v.
R. AGREDANO, et al.,
Defendants.

No. 2: 15-cv-1767 JAM KJN P

ORDER

Plaintiff is a state prisoner, proceeding without counsel, with a civil rights action pursuant to 42 U.S.C. § 1983. Pending before the court is the motion to quash a subpoena by non-party California Department of Corrections and Rehabilitation (“CDCR”). (ECF No. 21.) Plaintiff has not opposed this motion. For the reasons stated herein, the motion to quash is granted.

CDCR states that on February 9, 2016, plaintiff served, by mail, a subpoena for the production of documents to non-party CDCR. A copy of that subpoena is attached to the pending motion. (Id. at 4-5.) CDCR moves to quash the subpoena on several grounds.

CDCR moves to quash the subpoena on grounds that it was not issued by a court clerk or by an attorney licensed to practice in the issuing court, as required by Federal Rule of Civil Procedure 45(a)(3). Good cause appearing, the motion to quash is granted on grounds that it was not issued by the court clerk or an attorney licensed to practice in this court.


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1 CDCR also moves to quash the subpoena on grounds that it did not provide CDCR with a
2 reasonable time to comply with the request, as required by Federal Rule of Civil Procedure
3 45(d)(3)(A)(i). The subpoena required production of documents on the same day the subpoena
4 was served, i.e., February 9, 2016. Good cause appearing, the motion to quash is granted on
5 grounds that it did not provide CDCR with a reasonable time to comply with the request.

6 CDCR moves to quash the subpoena on several other grounds. The undersigned need not
7 reach these additional arguments because plaintiff's subpoena is defective for the reasons
8 discussed above.

9 Accordingly, IT IS HEREBY ORDERED that CDCR's motion to quash (ECF No. 21) is
10 granted.

11 Dated: April 11, 2016

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14 KENDALL J. NEWMAN
15 UNITED STATES MAGISTRATE JUDGE

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