1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF CALIFORNIA 10 11 No. 2:17-cv-1213-JAM-EFB P LISA BELYEW, 12 Plaintiff. 13 **ORDER** v. 14 DUCH, et al., 15 Defendants. 16 17 Plaintiff is a state prisoner proceeding without counsel in an action brought under 42 18 U.S.C. § 1983. She requests that the court order the U.S. Marshal to serve subpoenas on non-19 parties Sally Anderson of the California Legal Information Center and the Custodian of Records 20 for the Butte County Jail. ECF Nos. 28, 29, 30. As stated below, the request is denied. 21 The court will not order service of a subpoena unless plaintiff shows that she has taken 22 steps to avoid imposing an undue burden or expense on the person or entity subject to the 23 subpoena. See Austin v. Winett, 1:04-cv-05104-DLB PC, 2008 U.S. Dist. LEXIS 103279, at *2 24 (E.D. Cal. Dec. 11, 2008) ("[d]irecting the Marshal's Office to expend its resources personally 25 serving a subpoena is not taken lightly by the court."); 28 U.S.C. § 1915(d). Unless plaintiff 26 shows that the requested files/documents are not obtainable from a defendant through a properly-27 served request for production, her request for service of the subpoenas must be denied. 28 ///// 1

1	Accordingly, it is HEREBY ORDERED that plaintiff's request for service of subpoenas
2	(ECF Nos. 28-30) is denied.
3	DATED: March 18, 2020.
4	EDMUND F. BRENNAN
5	UNITED STATES MAGISTRATE JUDGE
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