

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-02329-MSK-KLM

ERIC CHRISTOPHER PROVENCIO,

Plaintiff,

v.

C. STARK, and  
D. RODENBECK,

Defendants.

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**MINUTE ORDER**

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**ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX**

This matter is before the Court on **Plaintiffs' [sic] Motion for Subpoena to Turn Over Documents** [Docket No. 43; Filed March 25, 2010] (the "Motion"). Plaintiff is proceeding in this matter *pro se* and has been granted *in forma pauperis* status. He is currently incarcerated at United States Penitentiary, Administrative Maximum Prison in Florence, Colorado ("ADX"). Pursuant to the Court's Order of October 14, 2009 [Docket No. 6], Plaintiff is obligated to make monthly payments towards his filing fee or show cause why he cannot by filing a certified copy of his inmate trust fund account statement. In the Motion, Plaintiff states that despite his request for a copy of his trust fund account statement so that he might show cause why he could not make a payment for the month of March 2010, he did not receive it. He asks the Court to issue a subpoena for the document. Plaintiff also requests that the Court order ADX to submit the monthly account statements in the future.

IT IS HEREBY **ORDERED** that the Motion is **DENIED** in part and **DENIED as moot** in part. To the extent the Motion seeks an order directing ADX to submit a certified trust fund account statement each month on Plaintiff's behalf, the Motion is **DENIED**. It is Plaintiff's responsibility to submit to the Court the necessary paperwork. To the extent that Plaintiff seeks an order directing ADX to produce a copy of his trust fund account statement for the month of March 2010, the Motion is **DENIED as moot**. On March 30, 2010, Plaintiff filed the required trust fund account statement for March 2010 [Docket No. 46].

Dated: April 5, 2010