

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Kathleen M. Tafoya

Civil Action No. 10-cv-00320-PAB-KMT

MARK ALAN STREPKA,

Plaintiff,

v.

SERGEANT GERALD JONSGAARD, Individually and his official capacity as Aurora City Police Officer, and
CITY OF AURORA, COLORADO, a second class city and a municipal corporation of Colorado,

Defendants.

**ORDER THAT UNITED STATES MARSHAL
SHALL SERVE SUBPOENA DUCES TECUM**

Plaintiff filed his complaint on February 16, 2010 and was granted leave to proceed without prepayment of fees or security pursuant to 28 U.S.C. § 1915 on March 3, 2010. (*See* Doc. No. 3 & 5.) On August 30, 2010, this court granted Plaintiff's "Request for United States Marshal's Service to Serve Subpoena Duces Tecum." (*See* Doc. No. 40.) However, because the date Plaintiff had proposed for the production of documents had passed, the Court ordered Plaintiff to submit, after conferring with Defendants, a new subpoena with a new date. (*Id.*) On September 14, 2010, Plaintiff filed a new subpoena proposing the production of documents on October 7, 2010. Plaintiff asserted that Defendants had not conferred with him regarding the date. (*See* Doc. No. 43.)

In response to an order of the court, Defendants filed a status report, chronicling their efforts to coordinate with the Arapahoe County Detention facility, a date, time and location to have Plaintiff and defense counsel appear for the disclosure of the requested documents. (Doc. No. 45.) Defendants represent that the Arapahoe County Attorney's Office, the Acting Records Custodian and defense counsel are all available on October 8, 2010 at 2:00 p.m. and that arrangements will be made to have Plaintiff present for the subpoena return.

It is **ORDERED** that the Clerk reissue the subpoena, with the information provided by Plaintiff, but with October 8, 2010 at 2:00 p.m. as the date and time for the production of documents, and enter it into the docket; it is further

ORDERED that the United States Marshal shall serve a copy of the Subpoena upon Ms. Joan Marner, Records Supervisor, Arapahoe County Sheriff/Detention Facility.

Dated this 15th day of September, 2010.

BY THE COURT:



Kathleen M. Tafoya
United States Magistrate Judge