

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 10-cv-00334-PAB-KMT

JEFFREY ALLEN PHILLIPS,

Plaintiff,

v.

SUSAN TIONA, Doctor, Kit Carson Correctional Center,
HOYT BRILL, Warden, Kit Carson Correctional Center,
JODI GRAY, Health Administrator, Kit Carson Correctional Center, and
CORRECTIONS CORPORATION OF AMERICA, owner of private prison KCCC,

Defendants.

MINUTE ORDER

ORDER ENTERED BY MAGISTRATE JUDGE KATHLEEN M. TAFOYA

This matter is before the court on Plaintiff's "Motion Requesting Service of Subpoena." (Doc. No. 205, filed March 22, 2011.) Plaintiff asks the court to issue a subpoena to "a non-party Colorado Department of Corrections Private-Prison Medical Monitor, Mr. Doug Roberts, to command written answer(s) to Plaintiff Phillips [sic] Written Declaration . . ." (*Id.*) Plaintiff asserts that the written declaration was submitted to Mr. Roberts pursuant to Fed. R. Civ. P. 31. As such, it appears that Plaintiff seeks to take Mr. Roberts deposition by written question. The court recently addressed the requirements of the Rule and established the procedure to be followed in this case. (*See* Doc. No. 2201.) Accordingly, Plaintiff's "Motion Requesting Service of Subpoena" is DENIED.

Dated: April 4, 2011