

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 10-cv-02738-REB-MEH

CURTIS L. LILLY,

Plaintiff,

v.

MR. JASON FASSLER, Correctional Officer, Fremont Correctional Facility, and
MR. ROBERT BEAUMONT, Correction Officer, Fremont Correctional Facility,

Defendants.

MINUTE ORDER

Entered by Michael E. Hegarty, United States Magistrate Judge, on May 23, 2011.

Plaintiff's "Petition for a Writ of Duces Tecum on the Above Defendants" [filed May 19, 2011; docket #30] is **denied**. In his motion, Plaintiff appears to seek the issuance of a subpoena duces tecum upon the Defendants requiring their production of certain documents at the upcoming Scheduling Conference. However, this type of subpoena is issued only upon third parties to the litigation pursuant to Fed. R. Civ. P. 45. Any requests for production of documents from a party to the litigation may occur through the discovery process. *See* Fed. R. Civ. P. 34. At the June 14, 2011 Scheduling Conference, the Court will assist the parties in setting a schedule for the discovery process in this case.