

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 11-cv-03091-PAB-CBS

MATTHEW SHERMAN,
Plaintiff,

v.

WILLIAM KLENKE, N.P., and
DOLORES MONTOYA, H.S.A.,
Defendants.

ORDER FOR CLERK OF THE COURT TO ISSUE SUBPOENAS

Magistrate Judge Craig B. Shaffer

This civil action comes before the court on "Plaintiff's Request for Subpoenas." Pursuant to the Order Referring Case dated May 9, 2012 (Doc. # 31) and the memorandum dated June 21, 2013 (Doc. # 112), this matter was referred to the Magistrate Judge. On December 7, 2011, the court granted Mr. Sherman leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. (See Doc. # 6). It is now ORDERED that:

1. "Plaintiff's Request for Subpoenas" (filed June 21, 2013) (Doc. # 111) is GRANTED.
2. The Clerk of the Court shall issue a subpoena to the Colorado Department of Corrections, 2862 South Circle Dr., Colorado Springs, CO 80906 to produce the following:
 - I. Inmate grievances filed within three years preceding May 1, 2011 regarding the refusal of pain medications or other pain management measures , by N.P. William Klenke or Dolores Montoya, H.S.A.
 - II. All Department of Corrections Documents Administrative Regulations & Fremont Correctional Facility Implementation/Adjustments related to the administration of pain medication and/or other methods of pain management.
 - III. CDOC Clinical Standards and Procedures related to pain management and/or the administration of pain medication.
 - IV. Any other DOC policy, standard, or procedure that governs the

management of pain or administration of pain medications, including any which are specific to Fremont Correctional Facility.

V. All Documents or Records referencing treatment of Mr. Sherman from May 1, 2011 through November 30, 2011, including treatment received outside of the FCF medical clinic, specifically related to treatment of his hernia and the management of the pain associated with it.

3. The Clerk of the Court shall issue a subpoena to Eric H. Rieger, M.D., St.

Thomas More General Surgery Group, 1339 Phay Avenue, Canon City, CO 81212 to produce the following:

I. All records and notes regarding the treatment and surgery of DOC Inmate Matthew Sherman, # 149380, DOB 12/22/80, to include initial, pre-op, and post-op consultations, reports and requests to CHP, responses from CHP, and any documentation or communication with CDOC medical staff.

4. The items shall be produced to Matthew Sherman, # 149380, Fremont Correctional Facility, P.O. Box 999, Canon City, CO 81215-0999, **on or before Monday August 5, 2013.**

5. The United States Marshal shall serve the subpoenas. All costs of service shall be advanced by the United States.

Dated at Denver, Colorado this 3rd day of July, 2013.

BY THE COURT:

s/ Craig B. Shaffer
United States Magistrate Judge