

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

DALE A. GUILFOIL,	)
	)
Plaintiff,	)
	)
v.	) Civil Action. No. 16-363-GMS
	)
CONNECTIONS,	)
	)
Defendant.	)

**MEMORANDUM ORDER**

At Wilmington this 2<sup>nd</sup> day of March, 2018,

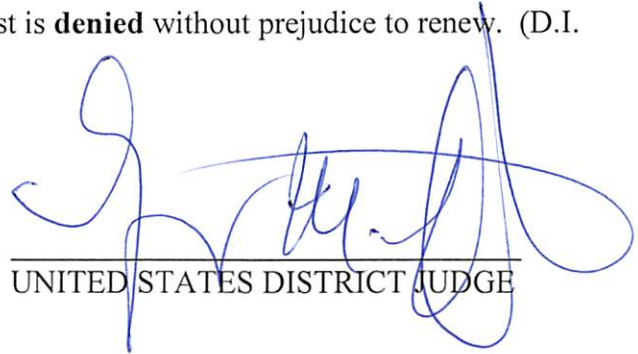
IT IS ORDERED, as follows:

1. The plaintiff Dale A. Guilfoil (“the plaintiff”), an inmate housed at the Sussex Correctional Institution in Georgetown, Delaware, filed this action on May 16, 2016. (D.I. 3). He proceeds *pro se* and has been granted leave to proceed *in forma pauperis*. On March 2, 2018, the plaintiff requested information on the issuance of subpoenas. (D.I. 39).

2. Federal Rule Civil Procedure 45 is the rule regarding issuance of a subpoena. Subpoena forms may be obtained at the prison law library or upon request from the Clerk of Court. In general, a subpoena must state the court from which it issued; state the title of the action and its civil-action number; command each person to whom it is directed to do the following at a specified time and place: attend and testify; produce designated documents, electronically stored information, or tangible things in that person's possession, custody, or control; or permit the inspection of premises; and set out the text of Rule 45(d) and (e).

3. A federal court has the inherent power to protect any one from oppressive use of process, even if no oppression is actually intended. *Badman v. Stark*, 139 F.R.D. 601, 605 (M.D. Pa. 1991) (citation omitted). The plaintiff does not indicate to whom the subpoenas will be

directed, what documents he seeks, how the documents he seeks are relevant, if he seeks documents from a named defendant, or whether he has the ability to pay for any costs associated with issuance of the subpoenas, such as photocopy fees, witness fees, or mileage. Therefore, to the extent the plaintiff requests issuance of subpoena(s) the request is **denied** without prejudice to renew. (D.I. 39.)



UNITED STATES DISTRICT JUDGE