

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

JASON SANDERS,

Plaintiff,

v.

TODD W. COWELL and NATHAN
BIRKNER,

Defendants.

Case No. 3:13-cv-258-GPM-DGW

ORDER

WILKERSON, Magistrate Judge:

This matter is before the Court on the Motion for Subpoenas filed by Plaintiff, Jason Sanders, on November 12, 2013 (Doc. 52). The Motion is **GRANTED IN PART**.

As indicated in this Court's previous Order, the Clerk must issue subpoenas on request of a party. FED.R.CIV.P. 45(a)(3). However, the Court has an obligation to protect persons subject to a subpoena and may preview subpoenas in order to ensure that the Court's subpoena power is not being abused. FED.R.CIV.P. 26(b)(2)(C), 45(c); *Marozsan v. United States*, 90 F.3d 1284, 1290 (7th Cir. 1996). The Clerk is therefore **DIRECTED** to provide Plaintiff with the requested number (3) of subpoena forms, blank and unsigned. Plaintiff shall complete the forms and submit them to the Court for review. Plaintiff shall take appropriate steps to avoid imposing undue burden or expense on a person subject to subpoena and shall restrict his requests to information that is relevant to the claims or defenses.

The Court notes that on October 30, 2013, the Clerk sent to Plaintiff 8 blank subpoena forms that have not been returned to the Court for approval. Plaintiff is reminded that the forms,

once he has filled them out, must be returned to the Court and cannot be served unless approved by the Court.

Finally, Plaintiff requests “seven deposition forms for oral depositions.” This Court has no such forms. Plaintiff is directed to Federal Rule of Civil Procedure 31.

IT IS SO ORDERED.

DATED: November 22, 2013



DONALD G. WILKERSON
United States Magistrate Judge