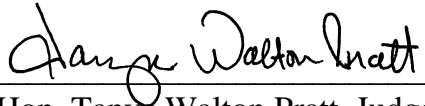


of the Marion County Jail. In addition, the holding cells and the kitchen in the Marion County Jail are in 24-hour use to house and serve prisoners. The Sheriff's Office asserts that the inspection and photography the plaintiff seeks will compromise the security and orderly operation of the holding cells and the jail kitchen. In response, the plaintiff argues that the pictures will show the conditions of the jail he was subjected to and go to his proof of damages.

Under the circumstances set forth above, the Court finds the subpoena seeking inspection and photography of jail facilities imposes an undue burden upon the Sheriff's Office. The plaintiff has not shown a relationship between inspection and photography of the Jail facilities and any of the claims set forth in his Amended Complaint. If appropriate, the plaintiff may testify as to his personal experience at the Jail. **The motion to quash (Dkt. 45) is GRANTED and the subpoena is quashed** in accordance with Fed. R. Civ. P. 45(c)(3)(A)(iv).

IT IS SO ORDERED.

Date: 04/05/2013


Hon. Tanya Walton Pratt, Judge
United States District Court
Southern District of Indiana

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