

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

JAMES SMALLEY,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 4:10CV319 RWS
	)	
MICHAEL GAMACHE, et al.,	)	
	)	
Defendants.	)	

**MEMORANDUM AND ORDER**

This matter is before me on plaintiff's pretrial request for the issuance of trial subpoenas. The only witness the Court will issue a subpoena for is Charles Cantrell, 8711 Kathlyn Drive, Berkeley, Missouri 63134. According to plaintiff, Mr. Cantrell observed the incident at issue in this case and is willing to testify. The remaining witnesses either have no relevance to this case (which is limited to the alleged use of excessive force by defendants), or plaintiff has not complied with the pretrial orders by providing addresses for service of trial subpoenas. The Court will rule the remaining pretrial motions on the record during a pretrial conference the morning of trial.

Accordingly,

**IT IS HEREBY ORDERED** that the Clerk of Court shall issue and have the United States Marshal Service serve a trial subpoena for Charles Cantrell, 8711 Kathlyn Drive, Berkeley, Missouri 63134<sup>1</sup> for appearance at trial in the above-captioned matter beginning on October 15, 2013 at 8:30 a.m. and lasting until concluded.

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<sup>1</sup>Plaintiff has also provided telephone numbers for Mr. Cantrell if necessary for the issuance or service of the subpoena [Doc. #128 at 3].

**IT IS FURTHER ORDERED** that plaintiff's supplemental motion for witness list  
[#141] is denied.



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RODNEY W. SIPPEL  
UNITED STATES DISTRICT JUDGE

Dated this 9th day of September, 2013.