

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

JOSEPH ANTONETTI,	)	3:11-cv-00548-LRH-WGC
	)	
Plaintiff,	)	<u><b>MINUTES OF THE COURT</b></u>
	)	
vs.	)	January 6, 2014
	)	
BARACK OBAMA, <i>et al.</i> ,	)	
	)	
Defendants.	)	
	)	

PRESENT: THE HONORABLE WILLIAM G. COBB, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: KATIE LYNN OGDEN REPORTER: NONE APPEARING

COUNSEL FOR PLAINTIFF(S): NONE APPEARING

COUNSEL FOR DEFENDANT(S): NONE APPEARING

**MINUTE ORDER IN CHAMBERS:**

Before the court is Plaintiff's motion entitled, "Order for Assistance in Witness Presence." (Doc. # 75.) Defendants responded and opposed Plaintiff's motion (Doc. # 77) and Plaintiff replied (Doc. # 79).

Plaintiff's requests the "court order assistance in witness presence" by directing the Attorney General's office to "ensure inmate witnesses be transferred and available for trial." (Doc. # 75 at 1.) The Plaintiff also seeks the "U.S. Marshall's (sic) assistance and all other court assistance available to ensure these witnesses can be available for trial, including potential travel expenses, if available." (*Id.*, at 1-2.) The Plaintiff cites no authority which might bestow upon the court the ability to enter such orders. Defendants state they are unaware of any such authority. (Doc. # 77 at 1.)

The order granting Plaintiff leave to proceed *in forma pauperis* noted that "granting leave to proceed *in forma pauperis* shall not extend to the issuance of subpoenas as government expense." (Doc. # 23, ¶ 2, p. 2.) The Ninth Circuit has recognized that "28 U.S.C. § 1915, the *in forma pauperis* statute, does not waive payment of fees or expenses for witnesses." *Dixon v. Yist*, 990 F.2d 478, 480 (9th Cir. 1993) (citing *Tedder v. Odel*, 890 F.2d 210, 211-12 (9th Cir. 1989). The court lacks the authority to provide Plaintiff the relief he seeks.

Plaintiff's motion (Doc. # 75) is **DENIED**.

**IT IS SO ORDERED.**

LANCE S. WILSON, CLERK

By:                   /s/                    
Deputy Clerk