

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JOSEPH RONALD KNAUSS,	:	
	:	
Plaintiff,	:	CIVIL ACTION
	:	
v.	:	NO. 10-cv-02636
	:	
U.S. DEPARTMENT OF JUSTICE,	:	
et al.,	:	
	:	
Defendants.	:	

ORDER

AND NOW, this 29th day of March, 2011, upon consideration of Plaintiff's motions and requests, and for the reasons set forth in the accompanying memorandum, it is hereby ORDERED as follows:

1. Plaintiff's request for subpoenas to obtain 911 tapes (ECF No. 5) is DENIED without prejudice.
2. Plaintiff's request for a copy of the docket in this matter is GRANTED and the Clerk of Court is directed to furnish Plaintiff with a copy of the docket forthwith.
3. Plaintiff's Motion for Appointment of Counsel (ECF No. 7) is DENIED without prejudice.
4. Plaintiff's Motion to Compel the USMS to Serve Scott Henderschedt and John Doe at Krystal Henderschedt's Residence (ECF No. 12) is DENIED.
5. Plaintiff's Motion to Compel the Production of Incident Reports by the Coplay Police Department (ECF No. 14) is GRANTED as follows:

- a. The Clerk of Court is directed to issue to Plaintiff a subpoena, signed but otherwise blank, in accordance with Fed. R. Civ. P. 45(a)(3).
 - b. Plaintiff shall complete the subpoena and return it to the United States Marshals Service within fourteen (14) days of the date of entry of this order. Plaintiff shall cooperate with the Marshals Service in effecting service of the subpoena.
 - c. The United States Marshals Service is directed to serve the subpoena in accordance with Fed. R. Civ. P. 45(b).
6. Plaintiff's "Motion for (Status Conference) and (Preliminary Inju[n]ction) (Habeaus [sic] Corpus)" (ECF No. 17) is DENIED and the Clerk of Court is directed to furnish Plaintiff with:
- a. A blank copy of the standard form for filing a petition pursuant to 28 U.S.C. § 2241; and
 - b. A blank copy of the standard form for filing a petition pursuant to 28 U.S.C. § 2254.¹

¹ It may be the case that Plaintiff is no longer seeking habeas relief. In any event, it is unclear on what grounds Plaintiff initially sought such relief as his representations to the Court were internally inconsistent. Therefore, we are directing the Clerk of Court to furnish Plaintiff with two sets of forms. If Plaintiff is seeking relief as a pretrial detainee, he should complete the 28 U.S.C. § 2241 form. If, on the other hand, Plaintiff is seeking post-conviction relief, Plaintiff should complete the 28 U.S.C. § 2254 form. Plaintiff should read carefully the instructions and warnings on both forms before deciding how to proceed.

7. The deadline for service of process is extended until June 1, 2011.
8. Plaintiff shall file an amended complaint within twenty-one (21) days of the date of entry of this Order.
9. Plaintiff's "Motion for the Court to Have Scott Henderscedt [sic] Served with Summons and Complaint, and Motion to Compell [sic] Pre-Trial Discovery under Rule 34, [and] Status Conference [and] Investigation" (ECF No. 19) is DENIED in part and DISMISSED without prejudice in part.

BY THE COURT:

s/J. Curtis Joyner

J. Curtis Joyner, J.