

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Christopher Dean Hornsby,)	C/A No. 0:11-1749-RBH-PJG
)	
Plaintiff,)	
)	
v.)	ORDER
)	
Debroah Hipp,)	
)	
Defendant.)	
_____)	

The plaintiff, Christopher Dean Hornsby (“Hornsby”), a self-represented state prisoner, filed this action pursuant to 42 U.S.C. § 1983. This matter is before the court pursuant to 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2) DSC on Hornsby’s motions for subpoena. (ECF Nos. 19 & 24.)

Hornsby’s first motion seeks that a subpoena be issued as to the J. Reuben Long Detention Center for the release of “medical records, forms, files, or grievance forms that specify [Hornsby] and statements made to and by [Hornsby].” (ECF No. 19.) Hornsby also seeks that a subpoena be issued as to the Horry County Police Department so as to obtain “detailed and unedited transcripts of all audio recordings[] and visual images for [Hornsby’s] transportation to the ML Brown building, interview at ML Brown building, and transport to [the] J. Reuben Long Detention Center.” (Id.)

Hornsby’s second motion seeks an additional subpoena as to the J. Reuben Long Detention Center for all video footage from May 9, 2011 to May 15, 2011 from 6:00 am to 10:30 pm each day. (ECF No. 24.)

In response, the defendant argues that Hornsby is attempting to conduct discovery of a represented party and that the scope of the subpoenas exceeds the issues of Hornsby’s lawsuit.

PJG

After a review of Hornsby's allegations in this matter, it is hereby

ORDERED that Hornsby's first motion to compel (ECF No. 19) be granted and that Hornsby's second motion to compel (ECF No. 24) be denied. The Clerk of Court is directed to provide Hornsby with two blank subpoena forms so that he may complete them and return them to the Clerk of Court for issuance pursuant to the Federal Rules of Civil Procedure and the practice of this court.

IT IS SO ORDERED.



Paige J. Gossett

UNITED STATES MAGISTRATE JUDGE

November 3, 2011
Columbia, South Carolina