

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

PHILLIP S. DUNN,

Plaintiff,

v.

RON SECORD, DAN ULRICH
and NATHAN POKE,

Defendants.

ORDER

15-cv-430-bbc

Pro se plaintiff Phillip Dunn is proceeding to trial on his claim that defendants Ron Secord, Dan Ulrich and Nathan Poke violated his Fourth Amendment rights by entering his home without a warrant, breaking down his bedroom door and arresting him. Defendants seek trial subpoenas for two witnesses, John Addis and Audrey Perkins, dkt. ##68 and 70, in accordance with this court's procedure for calling unincarcerated witnesses who refuse to testify voluntarily. Dkt. #58 at 20. Addis was a resident who defendants allege gave them consent to enter the home; Perkins was also present in the home at the time.

In affidavits attached to their motions, defendants have provided all the information required by the court's procedure. In particular, defendants aver that (1) the witnesses refuse to testify voluntarily; (2) defendants have made arrangements for serving the subpoena; and (3) defendants are prepared to tender the witness fees. Accordingly, I am granting defendants' request for subpoenas.

ORDER

IT IS ORDERED that the requests for subpoenas filed by defendants Ron Secord, Dan Ulrich and Nathan Poke, dkt. ##68 and 70, are GRANTED. The clerk of court is directed to issue subpoena forms to defendants for John Addis and Audrey Perkins.

Entered this 15th day of November, 2016.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge