

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
ILLINOIS

Anthony R. Wilson, II v. Blake Sellers, et al.

Wilson · No. 24-cv-518-RJD · Decided June 3, 2026

SUMMARY

The United States District Court for the Southern District of Illinois partially grants and partially denies Anthony R. Wilson II’s motion to subpoena witnesses. The Court authorizes issuance of a subpoena for previously dismissed Defendant Jeff C. Connor, while denying the request as to other individuals because Plaintiff did not explain the relevance of their testimony, and advises Plaintiff regarding service and witness-fee responsibilities.

CASE DETAILS

COURT	United States District Court for the Southern District of Illinois
WRITING FOR THE COURT	Reona J. Daly, United States Magistrate Judge
JURISDICTION	United States District Court for the Southern District of Illinois
DECIDED	June 3, 2026
DOCKET	24-cv-518-RJD
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for subpoenas to compel testimony from previously dismissed defendant Jeff C. Connor, a nonparty, and eight individuals in IDOC custody.
PRECEDENTIAL VALUE	Unpublished district court order; nonprecedential

TOPICS

discovery dispute civil procedure

PRACTICE AREAS

civil procedure civil rights

QUESTIONS PRESENTED

- Whether Plaintiff satisfied the requirements for issuance of subpoenas by addressing the relevance of the proposed witnesses' testimony.

2. Whether the court should issue a subpoena for previously dismissed Defendant Jeff C. Connor.
3. Whether the court should issue subpoenas or provide additional blank forms for the remaining proposed witnesses.

HOLDINGS

1. Under Local Rule 45.1(b), a pro se party seeking to issue a subpoena must complete the relevant form and file a motion addressing the relevance of the proposed witness's testimony to the claims or defenses at issue.
2. The subpoena for Jeff C. Connor should issue because his testimony could be relevant to Plaintiff's claims.
3. The request was properly denied because Plaintiff did not explain the relevance of the remaining witnesses' testimony.
4. Plaintiff remains responsible for serving the subpoena under Federal Rule of Civil Procedure 45 and for paying associated witness-related costs, despite his indigent status.

KEY QUOTATIONS

“Under Local Rule 45(1)(b), a pro se party who wishes to issue a subpoena must complete the relevant form and file a motion addressing the relevancy of the subject persons’ testimonies to the claims or defenses at issue.” (2)

“Plaintiff shall fill in Defendant Jeff C. Connor’s address. Plaintiff is ADVISED that he will be responsible for serving the subpoena in accordance with Federal Rule of Civil Procedure 45, and he is also responsible for paying the associated costs - even though the Court has found him to be indigent.” (2)

FACTUAL BACKGROUND

Plaintiff sought trial subpoenas for all defendants, including defendants previously dismissed, and for additional individuals in IDOC custody. He submitted proposed subpoenas for Jeff C. Connor, who had been Madison County Warden/Sheriff during periods relevant to the complaint, and for a nonparty named Jose Morales. The court found Connor's testimony potentially relevant but found that Plaintiff had not shown the relevance of the other requested witnesses.

PROCEDURAL HISTORY

The court previously mailed Plaintiff six blank subpoena forms and directed him to complete and return them. Plaintiff then filed a motion attaching two proposed subpoenas and requesting additional blank forms. The court granted the motion in part as to previously dismissed Defendant Jeff C. Connor and denied it as to the remaining individuals because Plaintiff did not explain the relevance of their testimony.

DISPOSITION

other

CASES CITED

- Armstead v. MacMillian, 58 Fed. Appx. 210, 213 (7th Cir. 2003)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF ILLINOIS ANTHONY R. WILSON, II,)) Plaintiff,)) v.) Case No. 24-cv-518-RJD) BLAKE SELLERS, et al,)) Defendants.)) ORDER DALY, Magistrate Judge:1 This matter comes before the Court on Plaintiff's Motion to Subpoena (Doc. 61).

For the reasons explained below, the motion is GRANTED in part and DENIED in part. In response to Plaintiff's request to have all Defendants, including those previously dismissed, testify at trial, the Court mailed Plaintiff six blank, unsigned subpoena forms. (Doc. 60). It directed Plaintiff to properly fill out the forms and return them to the Court. (Doc.

60). Thereafter, Plaintiff filed this motion, attaching two proposed subpoenas directed to previously dismissed Defendant Jeff C. Connor, Warden/Sheriff of Madison County, and a non-party named "Jose Morales." (Docs. 61-1 & 61-2). Plaintiff further requested additional blank subpoena forms for eight individuals in IDOC custody.

Under Local Rule 45(1)(b), a pro se party who wishes to issue a subpoena must complete the relevant form and file a motion addressing the relevancy of the subject persons' testimonies to the claims or defenses at issue. See LR- SDIL 45.1(b).

The Court finds that the testimony of the 1 This case has been assigned to the undersigned to conduct all proceedings, including trial and final entry of judgment upon the parties' full consent pursuant to 28 U.S.C. Sec. 636(c) and Federal Rule of Civil Procedure 73. (Doc. 26). dismissed Defendant Jeff C. Connor, who was the Madison County Warden/Sheriff at times relevant to the Complaint, can be relevant to Plaintiffs claims.

Plaintiff's motion is GRANTED in part as to the dismissed Defendant Jeff C. Connor. The Court has filled out the missing information (place and time) in Plaintiff's proposed subpoena. The Clerk of Court is DIRECTED to sign and issue the attached proposed subpoena and mail it to Plaintiff (Appendix 1). Plaintiff shall fill in Defendant Jeff C. Connor's address.

Plaintiff is ADVISED that he will be responsible for serving the subpoena in accordance with Federal Rule of Civil Procedure 45, and he is also responsible for paying the associated costs - even though the Court has found him to be indigent. See Armstead v. MacMillian, 58 Fed. Appx. 210, 213 (7th Cir. 2003) (unpublished) (district courts do not have statutory authority to waive witness fees for indigent civil litigants).

As to the remaining individuals, Plaintiff does not explain in his motion the relevance of their testimonies. Accordingly, the motion as to them is DENIED. IT IS SO ORDERED. DATED: June

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