

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Calvin Maron Robinson v. A. Scott, et al.

No. 2:25-cv-1687 CSK P, United States District Court for the Eastern District of California (September 19, 2025)

SUMMARY

The United States District Court for the Eastern District of California denied without prejudice a state prisoner’s motion for a subpoena seeking medical records. The court held that the request was premature because defendants had not yet answered and the court had not issued a discovery and scheduling order, while noting that the records could be relevant to damages on the plaintiff’s excessive-force claims.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Chi Soo Kim
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	September 19, 2025
DOCKET	2:25-cv-1687 CSK P
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff, a state prisoner proceeding pro se and in forma pauperis, moved for a subpoena to obtain medical records. The district court denied the motion without prejudice as premature.
PRECEDENTIAL VALUE	unknown
PARTIES	Calvin Maron Robinson v. A. Scott, et al.

TOPICS

- discovery dispute
- prisoners rights
- civil rights
- civil procedure

PRACTICE AREAS

- civil procedure
- prisoner civil rights

QUESTIONS PRESENTED

1. Whether plaintiff's motion for a subpoena to obtain medical records was premature before defendants filed an answer and before the court issued a discovery and scheduling order.
2. Whether plaintiff could seek medical records through discovery because they were relevant to damages on his excessive-force claims.

HOLDINGS

1. A motion for a subpoena seeking discovery is premature before defendants have filed an answer and before the court has issued its discovery and scheduling order.
2. The requested medical records were relevant to plaintiff's excessive-force claims insofar as they could demonstrate damages, even though the claims concerning identification of the nurses who treated plaintiff on January 19, 2025, were no longer at issue.

KEY QUOTATIONS

"However, until the Court issues the discovery and scheduling order, plaintiff's motion for a subpoena is premature and is denied." (at 2)

"Accordingly, IT IS HEREBY ORDERED that plaintiff's motion for a subpoena (ECF No. 26) is denied without prejudice." (at 2)

FACTUAL BACKGROUND

Plaintiff is a state prisoner pursuing claims that include excessive force. He sought his medical records to identify nurses who treated him on January 19, 2025, although those identification-related claims were no longer at issue; the records remained potentially relevant to damages on his excessive-force claims.

PROCEDURAL HISTORY

On September 15, 2025, plaintiff filed a motion seeking a subpoena for his medical records. The court determined that discovery had not yet commenced because defendants had not filed an answer and the court had not issued a discovery and scheduling order, and therefore denied the motion without prejudice.

DISPOSITION

other

CASES CITED

- Olson v. Pope, 37 Cal. App. 3d 783 (1974)

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF
CALIFORNIA 10 11 CALVIN MARON ROBINSON, No. 2:25-cv-1687 CSK P 12 Plaintiff, 13 v.

ORDER 14 A.SCOTT, et al., 15 Defendants. 16 17 Plaintiff is a state prisoner proceeding pro se and in forma pauperis.

On September 15, 18 2025, plaintiff filed a motion for subpoena to obtain medical records. Plaintiff's motion is 19 premature.¹ Plaintiff is advised that once defendants have filed an answer, and the Court has 20 issued its discovery and scheduling order, plaintiff may request discovery from defendants. 21 Although plaintiff seeks his medical records in order to identify the nurses who treated him on 22 January 19, 2025, which claims are no longer at issue herein (ECF No. 23 at 1), plaintiff's 23 medical records are relevant to his claims for excessive force to demonstrate plaintiff's damages.

24 However, until the Court issues the discovery and scheduling order, plaintiff's motion for a 25 subpoena is premature and is denied. 26 1 In addition to requesting a copy of his medical records from the prison directly, plaintiff can 27 review his central files by requesting an Olson review. Olson v. Pope, 37 Cal. App. 3d 783 (1974); California Department of Corrections and Rehabilitation, Department Operations Manual 28 (2018), section 13030.16 et seq.] Accordingly, IT IS HEREBY ORDERED that plaintiff's motion for a subpoena (ECF No. 2 || 26) 1s denied without prejudice.

3 4 | Dated: September 19, 2025 Cin ☐☐☐ CHI SOO KIM 6 UNITED STATES MAGISTRATE JUDGE 4 /I/robi1687.sdt 9 10 1] 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28