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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

STEVEN JOSEPH NOBLE IV,)
)
 Plaintiff,)
)
 v.)
)
 D. ADAMS and D. CUEVAS,)
)
 Defendants.)
)
 _____)

**1:03-cv-05407-AWI-SMS-PC
ORDER GRANTING MOTION FOR
ATTENDANCE OF PLAINTIFF AT TRIAL
(Doc. #138)**

Plaintiff Steven Joseph Noble IV (“Plaintiff”) is a state prisoner proceeding pro se with this civil rights action under 42 U.S.C. § 1983. Plaintiff filed this action on April 8, 2003. The case now proceeds on the Amended Complaint filed on May 12, 2003 against Defendants D. Adams and D. Cuevas (“Defendants”) on Plaintiff’s Eighth Amendment access to exercise claim for the period between January 31, 2002 and July 31, 2002. This case is presently set for trial on October 20, 2009.

On July 27, 2009, Plaintiff filed a motion for the court to order the Warden of Folsom State Prison to transfer him to court for trial.

IT IS HEREBY ORDERED that Plaintiff’s motion for transfer to trial is GRANTED and the court will issue a writ of habeas corpus ad testificandum.

IT IS SO ORDERED.

Dated: September 16, 2009

/s/ Anthony W. Ishii
CHIEF UNITED STATES DISTRICT JUDGE