

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

JOHN E. JAMES, III,

1:04-cv-05878-LJO-DLB (PC)

Plaintiff,

**ORDER & WRIT OF HABEAS CORPUS
AD TESTIFICANDUM TO TRANSPORT
BRENT WAGGONER,
CDC #T-42994, WITNESS**

vs.

A. K. SCRIBNER,

DATE: September 28, 2009

TIME: 8:00 a.m.

Defendants.

Brent Waggoner, inmate, CDC# T-42994, a necessary and material witness for the plaintiff in proceedings in this case on September 28, 2009, is confined at Salinas Valley State Prison, 31625 Highway 101, Soledad, CA 93960, in the custody of the Warden. In order to secure this inmate's attendance it is necessary that a Writ of Habeas Corpus ad Testificandum issue commanding the custodian to produce the inmate in Courtroom #4, 7th Floor, United States Courthouse, 2500 Tulare Street, Fresno, California on September 28, 2009, at 8:00 a.m.

ACCORDINGLY, IT IS ORDERED that:

1. A Writ of Habeas Corpus ad Testificandum issue, under the seal of this court, commanding the Warden to produce the inmate named above to testify in United States District Court at the time and place above, and from day to day until completion of court proceedings or as ordered by the court; and thereafter to return the inmate to the above institution;

2. The custodian is ordered to notify the court of any change in custody of this inmate and is ordered to provide the new custodian with a copy of this writ.

WRIT OF HABEAS CORPUS AD TESTIFICANDUM

To: The Warden OR Sheriff of Salinas Valley State Prison:

WE COMMAND you to produce the inmate named above to testify before the United States District Court at the time and place above, and from day today until completion of the proceedings, or as ordered by the court; and thereafter to return the inmate to the above institution.

FURTHER, you have been ordered to notify the court of any change in custody of the inmate and have been ordered to provide the new custodian with a copy of this writ.

IT IS SO ORDERED.

Dated: August 21, 2009

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE

