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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DESHA M. CARTER,

CASE No.: 1:05-cv-01057-LJO-DLB PC

Plaintiff,

ORDER VACATING DECEMBER 29, 2009
ORDER AND WRIT OF HABEAS CORPUS AD
TESTIFICANDUM AS TO PLAINTIFF **DESHA
M. CARTER**

v.

BUTLER, et al.,

Defendants.

(Doc. 72)

Plaintiff Desha M. Carter ("Plaintiff") is a state prisoner proceeding pro se and in forma pauperis in a civil rights action pursuant to 42 U.S.C. § 1983.

On December 29, 2009, the Court issued an order and Writ of Habeas Corpus ad Testificandum to transport Plaintiff, commanding the Warden of California State Prison - Corcoran to produce California prisoner Desha M. Carter, CDCR #H-19027, in this court on January 19, 2010, to testify at trial in this action.

By separate order, the Court vacated the trial date, and set a new trial date of January 25, 2010. Accordingly, the order and writ issued on December 29, 2009, commanding the production of inmate Desha M. Carter, is **HEREBY VACATED**.

IT IS SO ORDERED.

Dated: January 12, 2010

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE