

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

CARLOS QUIROZ,

Plaintiff,

v.

CALIFORNIA DEPARTMENT OF
CORRECTIONS AND REHABILITATION,
et al.,

Defendants.

CASE NO. 1:06-CV-01426-OWW-DLB PC

ORDER REGARDING PLAINTIFF'S
MOTIONS

(DOCS. 68, 70)

Plaintiff Carlos Quiroz ("Plaintiff") is a prisoner in the custody of the California Department of Corrections and Rehabilitation ("CDCR"), proceeding pursuant to 42 U.S.C. § 1983.¹ This action is proceeding on Plaintiff's claims against Defendants Attygalla and Shen for violation of the Eighth Amendment. Pending before the Court are 1) Plaintiff's motion for writ of habeas corpus ad testificandum, filed January 14, 2011, and 2) Plaintiff's motion regarding money orders, filed January 14, 2011.

Plaintiff moves the Court for a writ of habeas corpus ad testificandum for himself to testify during trial. Doc. 68. Plaintiff's trial is currently set for March 6, 2012. Plaintiff's motion is thus premature. Accordingly, it is HEREBY ORDERED denied.

Plaintiff also moves the Court for a return of money orders for unincarcerated witnesses

¹ Plaintiff proceeded pro se in this action until he was appointed counsel on March 30, 2011.

1 to testify at trial. Doc. 70. This motion did not arrive in a timely manner, as the United States
2 Marshal was directed to serve the subpoenas and accompanying money orders on January 13,
3 2011. Doc. 65, 66. Accordingly, Plaintiff's motion is HEREBY ORDERED denied as moot.

4 IT IS SO ORDERED.

5 **Dated: August 3, 2011**

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE