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**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

Davon E. McCoy,
Plaintiff,
vs.
R. Spidle, et al.,
Defendants.

No. CV-07-198-SMM

**AMENDED
ORDER AND WRIT OF HABEAS
CORPUS AD TESTIFICANDUM**

The Court has re-set the commencement of Plaintiff’s trial from January 31, 2012 to January 30, 2012. Consequently, the Court issues this Amended Order and Writ of Habeas Corpus Ad Testificandum for transporting Plaintiff to the trial. Plaintiff Davon E. McCoy (Inmate #H67575), a necessary and material witness in and party to the proceedings in this case, is confined in Salinas Valley State Prison located at 31625 Highway 101, Soledad, CA 93960 in the custody of Warden Anthony Hedgpeth. In order to secure his attendance at trial it is necessary to issue a Writ of Habeas Corpus Ad Testificandum commanding the custodian to produce the inmate in Courtroom #2 of this Court located at 501 “I” Street, Sacramento, CA 95814 on January 30, 2012 at 9:00 a.m. and every court day thereafter at the same time and place through February 8, 2012.

Accordingly,

IT IS HEREBY ORDERED that:

1. A Writ of Habeas Corpus Ad Testificandum shall issue under the seal of this Court commanding Warden Anthony Hedgpeth to produce Davon E. McCoy (Inmate #H67575) for the trial of this case and to return him to Salinas Valley

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State Prison upon conclusion of the proceeding or as otherwise further ordered by the Court;

2. The custodian must promptly notify the Court of any change in custody of the inmate and provide the new custodian, if any, with a copy of this Order and Writ; and

3. Service of this Order and Writ may be accomplished by mailing a certified copy to the Litigation Coordinator at Salinas Valley State Prison, P.O. Box 1020, Soledad, CA 93690-1020.

WRIT OF HABEAS CORPUS AD TESTIFICANDUM

To: Warden Anthony Hedgpeth
Salinas Valley State Prison
P.O. Box 1020
Soledad, CA 93690-1020

You are commanded to produce Davon E. McCoy (Inmate #H67575) in Courtroom #2 of this Court located at 501 "T" Street, Sacramento, CA 95814 on January 30, 2012 at 9:00 a.m. and every court day thereafter at the same time and place through February 8, 2012 and to return him to Salinas Valley State Prison upon conclusion of the proceedings or as otherwise further ordered by the Court.

You are further ordered to notify the Court of any change in custody of the inmate and provide the new custodian, if any, with a copy of this Order and Writ.

DATED this 21st day of December, 2011.



Stephen M. McNamee
United States District Judge