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 8 **UNITED STATES DISTRICT COURT**  
 9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**  
 10 **FRESNO DIVISION**

11	_____	)	Case No. 07-CV-1577 GMS
12	<b>L.H. "QIYAM" POGUE,</b>	)	
13	Plaintiff,	)	<b>ORDER &amp; WRIT OF HABEAS</b>
14	<b>v.</b>	)	<b>CORPUS AD TESTIFICANDUM TO</b>
15	<b>DR. IGBINOSA, ET AL.,</b>	)	<b>TRANSPORT LEON H. POGUE,</b>
16	Defendants	)	<b>CDC #E-65357, PLAINTIFF</b>
17	_____	)	Judge: Hon. G. Murray Snow
		)	Trial Date: March 19, 2013
		)	Action Filed: February 27, 2008

1 Plaintiff Leon H. Pogue, inmate, CDC# E-65357, is required to attend a mediation session  
2 for this case scheduled to take place before Chief Magistrate Judge Sandra M. Snyder on January  
3 16, 2013, at 9:30 a.m. Mr. Pogue is confined at California Medical Facility (“CMF”), 1600  
4 California Drive, Vacaville, CA 95687, in the custody of the Warden. Mr. Pogue has arrangements  
5 at CMF necessary for a prisoner with his disabilities and medical needs, which may be impacted by  
6 a lengthy transfer for this mediation session. In order to secure Mr. Pogue’s attendance and  
7 minimize the impact on his health, it is necessary that a Writ of Habeas Corpus Ad Testificandum  
8 issue as follows, commanding the custodian to produce the inmate for this mediation session.

9 **ACCORDINGLY, IT IS HEREBY ORDERED** that:

- 10 1. A Writ of Habeas Corpus Ad Testificandum issue, under the seal of this Court,  
11 commanding the Warden of California Medical Facility, Solano County, and the California  
12 Department of Corrections and Rehabilitation to produce inmate Leon H. Pogue, CDC# E-65357,  
13 on January 16, 2013, at 9:30 a.m., for proceedings in Courtroom #1, 8<sup>th</sup> Floor, Robert E. Coyle  
14 Courthouse, United States District Court, 2500 Tulare Street, Fresno, California, 93721, on January  
15 16, 2013, at 9:30 a.m., until the completion of this proceeding or as ordered by the Court;
- 16 2. The custodian transfer Mr. Pogue from his current cell at California Medical Facility  
17 as close to the January 16, 2013, mediation date as is feasible, but no earlier than January 11, 2013;  
18 and
- 19 3. The custodian notify the Court of any change in the custody of Mr. Pogue and  
20 provide the new custodian with a copy of this writ.

21 **WRIT OF HABEAS CORPUS AD TESTIFICANDUM**

22 TO THE WARDEN OF CALIFORNIA MEDICAL FACILITY, SOLANO COUNTY:

23 YOU ARE COMMANDED to produce inmate Leon H. Pogue, CDC# E-65357, on January  
24 16, 2013, at 9:30 a.m., for a mediation session in the above-captioned case in Courtroom #1, 8th  
25 Floor, Robert E. Coyle Courthouse, United States District Court, 2500 Tulare Street, Fresno,  
26 California, 93721, until the completion of this proceeding or as ordered by the Court;

1 FURTHER, you have been ordered to transfer Mr. Pogue from his current cell at California  
2 Medical Facility as close to the January 16, 2013, mediation start date as is feasible, but no earlier  
3 than January 11, 2013 (five days before the mediation date); and

4 FURTHER, you have been ordered to notify the Court of any changes in the custody of Mr.  
5 Pogue and to provide the new custodian with a copy of this writ.

6 Dated: December 26, 2012

7 /s/ G. Murray Snow  
8 The Honorable G. Murray Snow  
9 United States District Judge  
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