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

<p>MAXIMILLIAN MONCLOVA-CHAVEZ,</p> <p style="padding-left: 40px;">Plaintiff,</p> <p style="padding-left: 40px;">v.</p> <p>ERIC McEACHERN, et al.,</p> <p style="padding-left: 40px;">Defendants.</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>Case No.: 1:08-cv-00076-AWI-BAM</p> <p>ORDER VACATING JULY 10, 2013 ORDER & WRIT OF HEABEAS CORPUS AD TESTIFICANDUM TO TRANSPORT MAXIMILIANO MONCLOVA CHAVEZ, 1306300354, PLAINTIFF WITNESS (ECF No. 156)</p>
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Plaintiff Maximilian Monclova-Chavez is a federal prisoner proceeding in this civil rights action filed pursuant to Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics, 403 U.S. 388, 91 S.Ct. 1999 (1971). On July 10, 2013, the Court issued an Order & Writ of Habeas Corpus ad Testificandum commanding the United States Marshal to transport Plaintiff from the San Bernardino Central Detention Center and produce him to testify in this Court on July 30, 2013.

On July 19, 2013, Plaintiff's counsel filed a notice of acceptance of offer of judgment from Defendants White and Miller. (ECF No. 163.) Based on the notice, the Court vacated the jury trial set for July 30, 2013. Accordingly, it is **HEREBY ORDERED** as follows:


1. The Order & Writ of Habeas Corpus ad Testificandum issued on July 10, 2013, commanding the production of Plaintiff Maximiliano Monclova Chavez is **VACATED**; and

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2. The Clerk's Office shall serve courtesy copies of this order on the San Bernardino Central Detention Center and on the United States Marshal-Central District of California.

IT IS SO ORDERED.

Dated: July 19, 2013



SENIOR DISTRICT JUDGE