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

THOMAS GOOLSBY,
Plaintiff,
vs.
M. CARRASCO, et al.,
Defendants.

Case No. 1:09-cv-01650 JLT (PC)
ORDER ADDRESSING INMATE WITNESS
JAMES ALLEN’S LETTER REGARDING HIS
ATTENDANCE AT TRIAL AND DIRECTING
PLAINTIFF TO FILE A RESPONSE
(Doc. 109)

_____ /

On October 5, 2011, the Court received a letter from James Allen, which stated that he did not wish to testify in Plaintiff’s trial, currently scheduled for November 21, 2011. (Doc 109). Based on Plaintiff’s previous representation that Allen could provide relevant information which could “substantially further the resolution” of Plaintiff’s case, the Court previous order (Doc. 83), granted Plaintiff’s motion for the attendance of this witness. Wiggins v. County of Alameda, 717 F.2d 466, 468 (9th Cir. 1983).

In light of Inmate Allen’s letter, Plaintiff is directed to file a responsive document indicating whether he still wishes to have Allen testify at trial.

IT IS SO ORDERED.

Dated: October 24, 2011

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE