UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

JAMES FREDRICK MENEFIELD, CASE NO. 1:10-cv-02406-MJS PC

Plaintiff, ORDER DENYING PLAINTIFF'S MOTION TO QUASH WRIT OF HABEAS CORPUS

AD TESTIFICANDUM

(ECF No. 71)

JAMES A. YATES, et al.,

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Defendants.

James Fredrick Menefield ("Plaintiff") is a prisoner confined at Pleasant Valley State Prison proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.

This case has been stayed in its entirety pending completion of a settlement conference scheduled to occur before Magistrate Judge Nandor J. Vadas at California State Prison-Solano (CSP-SOL) on May 9, 2012 at 9:00 a.m. (Order Staying, ECF No. 59; Order re Settlement Conference, ECF No. 65.) The Court issued an Order & Writ of Habeas Corpus Ad Testificandum on March 5, 2012 to secure Plaintiff's attendance at the settlement conference. (Order & Writ, ECF No. 64.) Plaintiff moved to quash the Order & Writ on March 22, 2012. (Motion to Quash, ECF No. 67.) The Court denied this Motion (Order Denying, ECF No. 68) and issued an Amended Order & Writ of Habeas Corpus Ad Testificandum on March 28, 2012. (Amended Order & Writ, ECF No. 69.)

Before the Court is Plaintiff's Motion to Quash the Previously-Issued Writ of Habeas Corpus Ad Testificandum and Allow the Scheduled Settlement Conference to [be] Held at Pleasant Valley State Prison. (Motion to Quash, ECF No. 71.)

Plaintiff's current Motion to Quash (ECF 71) fails because it is duplicative and moot. The current motion is entirely duplicative of his earlier Motion to Quash (ECF No. 67) which the Court denied on March 28th. (ECF No. 68.)

Accordingly, Plaintiff's Motion to Quash the Previously-Issued Writ of Habeas Corpus Ad Testificandum and Allow the Scheduled Settlement Conference to [be] Held at Pleasant Valley State Prison (ECF No. 71) is hereby DENIED.

IT IS SO ORDERED.

Dated: April 4, 2012 Isl Michael J. Seng UNITED STATES MAGISTRATE JUDGE