



1 of his personal belongings and legal documents/resources will be disposed of. Finally, Plaintiff  
2 requests that the writ specify that he not be housed at Kern Valley State Prison during transport,  
3 due to safety concerns.

4 “The district court’s power to issue a writ of habeas corpus ad testificandum to secure the  
5 testimony of a state prisoner witness is beyond dispute.” Wiggins v. Alameda Cty., 717 F.2d 466,  
6 468 n.1 (9th Cir. 1983) (citing Ballard v. Spradley, 557 F.2d 476, 480 (5th Cir. 1977)); 28 U.S.C.  
7 § 2241(c)(5). However, federal courts ought to afford appropriate deference and flexibility to  
8 state officials in the day-to-day management of prisons. See Sandin v. Conner, 515 U.S. 472, 482  
9 (1995). While the Court has issued a writ ordering the Warden of Salinas Valley State Prison to  
10 produce Plaintiff for a specific trial date, the Court otherwise declines to dictate how the  
11 California Department of Corrections and Rehabilitation will comply with the requirements of the  
12 writ.

13 Accordingly, Plaintiff’s request to specify the dates and locations for transport is  
14 HEREBY DENIED. The Court has issued a writ of habeas corpus ad testificandum ordering  
15 Plaintiff’s appearance at trial by separate order.

16  
17 IT IS SO ORDERED.

18 Dated: April 18, 2017

/s/ Barbara A. McAuliffe  
19 UNITED STATES MAGISTRATE JUDGE