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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

OSCAR MARSHALL,
Plaintiff,

v.

PAM AHLIN, et al.,
Defendants.

Case No. 1:11-cv-01908 LJO DLB PC

ORDER ISSUING LIMITED WRIT OF
HABEAS CORPUS AD TESTIFICANDUM

ORDER TO SERVE ORDER ON FRESNO
COUNTY SHERIFF AT FRESNO COUNTY
JAIL

Plaintiff Oscar Marshall, currently an inmate at the Fresno County Jail, filed this civil rights action pursuant to 42 U.S.C. § 1983 on November 16, 2011.

Pursuant to the scheduling order dated December 10, 2015, this matter was set for jury trial to commence on June 21, 2016, before United States District Judge Lawrence J. O’Neill. On April 20, 2016, Defendants notified the Court of the death of Deputy Attorney General Andreas Garza, who was defense trial attorney in this matter. In light of this, the trial dates were vacated and a hearing to reset those dates was set for May 12, 2016, at 10:00 a.m. before United States Magistrate Judge Jennifer L. Thurston. The Office of the Attorney General was directed to set up a telephone conference call with Plaintiff and then contact the Court.

It has come to the Court’s attention that when the Office of the Attorney General contacted the litigation coordinator at Corcoran State Prison, it was discovered that Plaintiff is presently “out to court”; specifically, he is incarcerated at the Fresno County Jail pending other charges. Therefore,

1 there is some question as to how to proceed with the teleconference.

2 Accordingly, IT IS HEREBY ORDERED that a Writ of Habeas Corpus ad Testificandum
3 SHALL ISSUE IN LIMITED PART, under the seal of this Court, commanding the Fresno County
4 Sheriff, who is Plaintiff's custodian at the Fresno County Jail, to bring Plaintiff to the place within
5 the Fresno County Jail that is designated for teleconferencing for the purpose of appearing at the
6 scheduling conference set for May 12, 2016, at 10:00 a.m. Defense counsel shall cooperate and
7 assist in making these arrangements.
8

9 **WRIT OF HABEAS CORPUS AD TESTIFICANDUM**

10
11 **To the Fresno County Sheriff:**

12 **WE COMMAND** you to bring the inmate named above and allow him to make a **telephonic**
13 **appearance** at the trial setting conference set for May 12, 2016, at 10:00 a.m before Judge Thurston
14 until completion of the hearing.

15 **FURTHER**, you have been ordered to notify the Court of any change in custody of the
16 inmate and have been ordered to provide the new custodian with a copy of this writ.
17

18 IT IS SO ORDERED.

19 Dated: May 5, 2016

/s/ Jennifer L. Thurston
20 UNITED STATES MAGISTRATE JUDGE

