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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

LARISSA SCHUSTER,
Petitioner,
v.
DEBORAH K. JOHNSON,
Respondent.

Case No. 1:12-cv-01482-AWI-SAB-HC
ORDER DENYING WITHOUT PREJUDICE
APPLICATION FOR WRIT OF HABEAS
CORPUS AD PROSEQUENDUM
(ECF No. 108)

Petitioner is a state prisoner proceeding with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254.

The Court has scheduled an evidentiary hearing for April 11, 2018 to determine whether the attorney authorization form can be processed without the investigator disclosing her Social Security number and whether civil contempt is appropriate for Respondent's inaction in complying with a previous court order to process the form without the social security number. (ECF No. 107).

On April 3, 2018, Petitioner filed the instant application for a writ of habeas corpus ad prosequendum so that Petitioner can be present at the April 11 hearing. (ECF No. 108). As Petitioner does not provide any reasons why her presence at the hearing is necessary, the Court will deny the application without prejudice. The Court notes that at the previous hearing, Petitioner's counsel rebuffed the Court's suggestion of issuing a writ to transfer Petitioner to be

1 interviewed because Petitioner would, in essence, be penalized by missing programming. The
2 Court further notes that it would be inclined to issue a writ so that Petitioner can be interviewed,
3 thereby resolving the underlying issue.

4 Accordingly, IT IS HEREBY ORDERED that Petitioner's application for writ of habeas
5 corpus ad prosequendum (ECF No. 108) is DENIED WITHOUT PREJUDICE.

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7 IT IS SO ORDERED.

8 Dated: April 3, 2018


UNITED STATES MAGISTRATE JUDGE

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