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8	UNITED STATES DISTRICT COURT	
9	FOR THE EASTERN DISTRICT OF CALIFORNIA	
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11	COREY MITCHELL,	No. 1:13-cv-01324-DAD-EPG
12	Plaintiff,	
13	v.	ORDER TERMINATING REQUESTS FOR ATTENDANCE OF INCARCERATED
14	CHAVEZ; SGT. SHELDON,	INMATES AS UNWILLING WITNESSES AT TRIAL
15	Defendants.	
16		(Doc. Nos. 94, 95)
17		
18	On April 1, 2017, plaintiff filed requests for attendance of incarcerated inmates Alfred	
19	Baylor and Cleave McCloud as unwilling witnesses at the trial of this action. (Doc. Nos. 94 and	
20	95.) At the telephonic trial confirmation hearing held on March 17, 2017, the court denied	

On April 1, 2017, plaintiff filed requests for attendance of incarcerated inmates Alfred Baylor and Cleave McCloud as unwilling witnesses at the trial of this action. (Doc. Nos. 94 and 95.) At the telephonic trial confirmation hearing held on March 17, 2017, the court denied plaintiff's request for attendance of incarcerated inmate Cleave McCloud without prejudice. (Doc. No. 100.) The court deferred on ruling on plaintiff's request for attendance of incarcerated inmate Alfred Baylor, because, as discussed at the trial confirmation hearing, the request would be rendered moot if photographs of Baylor's gang affiliated tattoos were produced and deemed to be adequate by plaintiff's counsel for use at trial. (Doc. No. 104 at 17.) Plaintiff had previously subpoenaed Mule Creek State Prison for photographs of Baylor's gang affiliated tattoos. (Doc. No. 104 at 16.) On May 9, 2017, plaintiff's attorney, Justin Thomas, notified the court that the photos produced pursuant to the subpoena had rendered Baylor's attendance at trial unnecessary.

Accordingly, 1) The court's denial of plaintiff's request for attendance of incarcerated inmate Cleave McCloud as an unwilling witness at trial (Doc. No. 95) is confirmed and that request is and has been denied; and 2) Plaintiff's request for attendance of incarcerated inmate Alfred Baylor as an unwilling witness at trial (Doc. No. 94) is denied as having been rendered moot. IT IS SO ORDERED. Dated: May 10, 2017