

1 unable to require prison staff to ensure Plaintiff is transported to the settlement conference and
2 back to CHCF within a given number of hours, as the Court's jurisdiction is limited to the parties
3 in this action and to the cognizable legal claims upon which Plaintiff is proceeding. *Summers v.*
4 *Earth Island Institute*, 555 U.S. 488, 492-93 (2009); *Mayfield v. United States*, 599 F.3d 964, 969
5 (9th Cir. 2010).

6 This is not to say that Plaintiff's concern over possibly losing his assigned bed if he is
7 away from CHCF too long is not legitimate. Indeed, the fact that Plaintiff's medical condition
8 cannot be properly attended to at regular penal facilities gave rise to his claims in this action.
9 Thus, the Warden and the Litigation Office at CHCF are requested to look into the matter and
10 facilitate Plaintiff's transport for the settlement conference, ensuring that his assigned bed at
11 CHCF will not be jeopardized.¹

12 Accordingly, it is HEREBY ORDERED that Plaintiff's motion for *writ of habeas corpus*
13 *ad testificandum*, filed on October 28, 2016, is GRANTED in as much as a *writ* was recently
14 signed and is being processed for his transport, but his request to be transported and returned to
15 CHCF on the same day as the settlement conference is DENIED for lack of jurisdiction. The
16 Clerk's Office shall forward a copy of this order and Plaintiff's motion to the Warden's office and
17 to the Litigation Coordinator at California Health Care Facility to make them aware of Plaintiff's
18 concerns and take precautions to preserve his assigned bed for his continued use after the
19 settlement conference.

20
21 IT IS SO ORDERED.

22 Dated: December 6, 2016

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE

23
24
25
26
27
28 ¹ How best to facilitate Plaintiff's attendance at the settlement conference and reservation of his assigned bed, in light of his housing status and other custody or classification factors, is left to the sound discretion of prison officials.