UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

MARIO MOLINA, Plaintiff, v. K. HOLLAND, et al., Defendants.	1:15-cv-01260-DAD-EPG (PC) ORDER ON PLAINTIFF'S MOTION FOR ATTENDANCE OF WITNESSES (ECF NOS. 53 & 54)

I. BACKGROUND

Mario Molina ("Plaintiff") is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. On June 1, 2017, the Court set an evidentiary hearing on Defendants' motion for summary judgment. (ECF No. 48). The Court also gave Plaintiff the opportunity to file a motion for attendance of witnesses. (Id.).

Plaintiff filed his motion for attendance of witnesses. (ECF Nos. 53 & 54). Plaintiff seeks to bring two witnesses to the evidentiary hearing: inmates Michael Hernandez and Peter Mercado. (Id.). According to Plaintiff, both witnesses are willing to testify voluntarily. (ECF No. 53).

On July 15, 2017, Defendants filed a statement of non-opposition to the motion. (ECF No. 55). However, Defendants request that these witnesses appear via video conference. (Id.).

The Court will grant both Plaintiff's motion and Defendants' request. Defendants counsel will be directed to coordinate with California State Prison – Substance Abuse and Treatment Facility ("SATF") and the Court to set up the video conference.

Accordingly, based on the foregoing, IT IS ORDERED THAT:

1. Plaintiff's motion for attendance of witnesses is GRANTED;
2. Defendants' request that the witnesses appear via video conference is GRANTED; and
3. Defendants' counsel is directed to coordinate with SATF and the Court to set up the video conference. If Defendants' counsel believes a writ is necessary to compel SATF to produce the witnesses, she is to notify the Court.

IT IS SO ORDERED.

Dated: **June 16, 2017**

/s/ Eric P. Grosjean
UNITED STATES MAGISTRATE JUDGE