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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOHNNY C. THOMAS,
Plaintiff,
v.
MARK KUO,
Defendant.

No. 1:16-cv-00524-DAD-EPG

ORDER VACATING ORDER & WRIT OF
HABEAS CORPUS AD
TESTIFICANDUM


(Doc. No. 126)

Plaintiff Johnny C. Thomas is a state prisoner proceeding *pro se* and *in forma pauperis* in this action against defendant Mark Kuo, with claims arising under 42 U.S.C. § 1983 for deliberate indifference to serious medical needs in violation of the Eighth Amendment. On August 21, 2019 the court issued an Order & Writ of Habeas Corpus Ad Testificandum to transport plaintiff, CDCR # G-07361, to the court for the jury trial in this matter previously scheduled for September 24, 2019. (Doc. No. 126.) On September 5, 2019, the court was required to continue the jury trial to December 10, 2019 due to an upcoming criminal trial. (Doc. No. 135.)

Accordingly, it is hereby ordered that the Order & Writ of Habeas Corpus Ad Testificandum to transport plaintiff, CDCR # G-07361, (Doc. No. 126) is vacated.

IT IS SO ORDERED.

Dated: September 5, 2019


UNITED STATES DISTRICT JUDGE

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