

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

TONY ASBERRY,
Plaintiff,
v.
C. RELEVANTE, et al.,
Defendants.

Case No. 1:16-cv-01741-NONE-HBK
AMENDED ORDER & WRIT OF HABEAS
CORPUS AD TESTIFICANDUM TO
TRANSPORT TONY ASBERRY, P-63853
DATE: July 26, 2021
TIME: 10:00 a.m.

Plaintiff Tony Asberry, inmate no. P-63853, is a necessary and material witness needed to participate in a Zoom settlement conference occurring in this case on July 26, 2021. Plaintiff is confined at Kern Valley State Prison (5104) and is in the custody of the Warden. In order to secure this inmate's attendance, it is necessary that a Writ of Habeas Corpus ad Testificandum issue commanding the custodian to produce the inmate for the Zoom video conference occurring on July 26, 2021 at 10:00 a.m. before the undersigned United States Magistrate Judge. This writ supplants the earlier writ compelling Plaintiff's attendance on June 18, 2021. (Doc. No. 214).

ACCORDINGLY, IT IS ORDERED:

1. A Writ of Habeas Corpus ad Testificandum issue, under the seal of this court, commanding the Warden to produce the inmate named above to testify in United States District Court at the time and place above, and from day to day until completion of court proceedings or as ordered by the court;

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

2. The custodian is ordered to notify the court of any change in custody of this inmate and is ordered to provide the new custodian with a copy of this writ.

3. Defense counsel will provide the Litigation Office at Kern Valley State Prison the undersigned's Zoom video conference connection information.

4. The **Clerk of the Court** is directed to serve a copy of this order to the Litigation Coordinator at the Kern Valley State Prison and confirm same on the docket.

5. Any difficulties concerning Zoom video conference, or connecting to the Zoom video conference, shall immediately be reported to Kirstie Dunbar-Kari, Courtroom Deputy, at kdunbar-kari@caed.uscourts.gov.

WRIT OF HABEAS CORPUS AD TESTIFICANDUM

To: The Warden OR Sheriff of Kern Valley State Prison

WE COMMAND you to produce the inmate named above to testify before the United States District Court at the time and place above, and from day to day until completion of the proceedings held on the Zoom videoconference, or as ordered by the court;

FURTHER, you have been ordered to notify the court of any change in custody of the inmate and have been ordered to provide the new custodian with a copy of this writ.

IT IS SO ORDERED.

Dated: June 15, 2021


HELENA M. BARCH-KUCHTA
UNITED STATES MAGISTRATE JUDGE

