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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CHESTER RAY WISEMAN,
Plaintiff,
v.
GONZALEZ, et al.,
Defendants.

Case No. 1:17-cv-01166-AWI-JLT (PC)
**ORDER DENYING PLAINTIFF'S
PREMATURE PETITION FOR WRIT OF
HABEAS CORPUS AD TESTIFICANDUM**
(Doc. 29)

Plaintiff filed a petition requesting that an inmate witness be required to appear before the Court to corroborate the allegations he has made in this action. (Doc. 29.) However, there is nothing currently pending before the Court for which any testimony is required. The order which opened discovery recently issued in this action, (*see* Doc. 27), and the parties should be engaging in discovery thereunder. Witnesses will be compelled to appear upon a showing of knowledge of the events at issue in this action if/when an event occurs that requires testimony.¹

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¹ In the most cases, witnesses are not necessary until trial. If/when trial is scheduled, the Court will provide the plaintiff the requirements and instructions for seeking the attendance of witnesses for trial.

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Accordingly, the Court **ORDERS** that Plaintiff's petition for writ of habeas corpus ad testificandum, filed October 3, 2018 (Doc. 29), is **DENIED** as premature.

IT IS SO ORDERED.

Dated: October 9, 2018

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE