

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MARCO A. GARCIA,
Plaintiff,

v.

GARCIA, *et al.*,
Defendants.

1:17-cv-01313-BAM (PC)

ORDER & WRIT OF HABEAS CORPUS
AD TESTIFICANDUM TO TRANSPORT
PLAINTIFF **MARCO A. GARCIA, CDCR
#BF-8082**

DATE: November 1, 2021
TIME: 8:30 a.m.

MARCO A. GARCIA, inmate, CDCR #BF-8082, a necessary and material witness on his own behalf in proceedings in this case on November 1, 2021, is confined at Pelican Bay State Prison 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 **to appear in person** in Courtroom #8, 6th Floor, United States Courthouse, 2500 Tulare Street, Fresno, California on November 1, 2021, at 8:30 a.m. for a jury trial in this matter.

ACCORDINGLY, IT IS ORDERED that:

1. A Writ of Habeas Corpus ad Testificandum issue, under the seal of this court, commanding the Warden to produce the inmate named above, **along with any necessary legal property**, to appear **in person** before the United States District Court at the time and place above, and from day to day until the completion of court proceedings, or as ordered by the court; and thereafter to return the inmate to the above institution.
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. **The custodian is ordered to notify the court immediately if the inmate cannot be physically transported due to restrictions related to COVID-19.**

WRIT OF HABEAS CORPUS AD TESTIFICANDUM

To: The Warden of Pelican Bay State Prison

WE COMMAND you to produce the inmate named above, **along with any necessary legal property**, to appear **in person** to testify before the United States District Court, at the time and place above, and from day to day until competition of court proceedings, or as ordered by the court; and thereafter to return the inmate to the above institution.

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, and to **notify the court immediately if the inmate cannot be physically transported due to restrictions related to COVID-19.**

IT IS SO ORDERED.

Dated: September 27, 2021

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE

