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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

CHESTER RAY WISEMAN,)	Case No.: 1:18-cv-00126-LJO-SAB (PC)
)	
Plaintiff,)	
)	ORDER DENYING PLAINTIFF’S REQUEST
v.)	FOR ISSUANCE OF PETITION FOR WRIT OF
)	HABEAS CORPUS AD TESTIFICANDUM
MARTIN D. BITER, et al.,)	
)	[ECF No. 30]
Defendants.)	
)	
)	

Plaintiff Chester Ray Wiseman is appearing pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.

On July 27, 2018, Plaintiff filed a request for issuance of a petition for writ of habeas corpus ad testificandum.

This action is proceeding against Defendants Romero, Swanson, R. Rivera. M. Pomoa and R. Perez for deliberate indifference.

On June 20, 2018, Defendants filed an answer to the complaint. On July 17, 2018, the Court issued the discovery and scheduling order.

In the present motion, Plaintiff seeks to have physical therapist, B. Burr appear before the Court to authenticate the genuineness of all medical records and reports. Plaintiff’s request must be denied. Under 28 U.S.C. § 2241(c)(5) and § 1651(a), a district court may issue a writ of habeas corpus ad testificandum to secure the physical presence of a prisoner in court. See Greene v. Prunty, 938

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F.Supp. 637, 638 (S.D. Cal. 1996). B. Burr is not a prisoner and there is no reason for this individual to appear before the Court to authenticate Plaintiff's medical records and reports. Accordingly, Plaintiff's request for issuance of a petition for writ of habeas corpus ad testificandum is denied.

IT IS SO ORDERED.

Dated: July 30, 2018


UNITED STATES MAGISTRATE JUDGE