

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

REX CHAPPELL,

Plaintiff,

vs.

No. CIV S-02-2299 GEB KJM P

D. MCCARGAR, et al.,

Defendants.

**ORDER & WRIT OF HABEAS CORPUS
AD TESTIFICANDUM**

Jerry Dunham, inmate #E-82238, a necessary and material witness in proceedings in this case on December 15, 2009, is confined in California State Prison, Sacramento, in the custody of the Warden James Walker; 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 in Court, 13th Floor, Courtroom No. 10, United States Courthouse, 501 I Street, Sacramento, California on December 15, 2009, at 9:00 a.m.

ACCORDINGLY, IT IS ORDERED:

1. That plaintiff's application for a Writ of Habeas Corpus ad Testificandum (Docket No. 115) is granted.
2. 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; and thereafter to return the inmate to the above institution;
3. 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; and
4. The Clerk of the Court is directed to serve a courtesy copy of this order and writ of habeas corpus ad testificandum on the Out-To-Court Desk, California State Prison - Sacramento, P.O. Box 290007, Represa, California 95671.

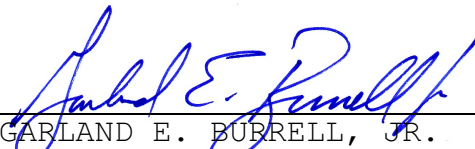
WRIT OF HABEAS CORPUS AD TESTIFICANDUM

To: The Warden of California State Prison, Sacramento, Prison Road, PO Box 290002, Represa, California 95671-0002:

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 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.

Dated: October 28, 2009



 GARLAND E. BURRELL, JR.
 United States District Judge