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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

VANCE EDWARD JOHNSON,  
Plaintiff,  
v.  
D.L. RUNNELS, et al.,  
Defendants.

No. 2:04-cv-00776-TLN-EFB-P

**ORDER**

On June 2, 2015, the Court issued an order in response to Plaintiff’s motions seeking to obtain the appearance of numerous incarcerated witnesses at trial, and for both him and the incarcerated witnesses to appear at trial via video or telephonic conference. (ECF No. 285.)

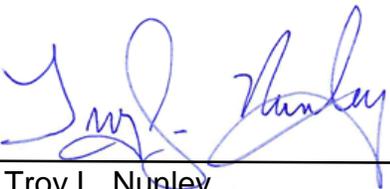
The June 2, 2015, Order found that the number of witnesses proposed by Plaintiff would be an undue waste of time and needlessly present cumulative evidence to the jury in violation of Fed. R. Evid. 403. The Order further provided that Plaintiff should submit a motion, with accompanying affidavits, to obtain the attendance of a maximum of five incarcerated witnesses at trial. The Court also denied Plaintiff’s motions for him and the incarcerated witnesses to appear via video or telephonic conference.

On June 25, 2015, Plaintiff submitted objections to the Court’s Order. (ECF No. 288.) It appears Plaintiff again objects to his and the incarcerated witnesses having to appear in person at

1 trial. The objection is noted and the request is again denied; the Court will issue the necessary  
2 writs to ensure their appearance at trial.

3 Plaintiff also objects to having “to submit (5) more Motions with Affidavits of Plaintiff’s  
4 selection” of the incarcerated witnesses to testify, and requests further clarification. Plaintiff may  
5 submit one motion stating which five witnesses are to testify. Together with that motion, Plaintiff  
6 may either refile the necessary affidavits, specific to the five witnesses, or clearly reference which  
7 are the correct affidavits already filed in “Plaintiff’s Motion / Affidavit Re: Attendance of  
8 Incarcerated Witnesses to Appear At Jury Trial,” ECF No. 282. Plaintiff shall file such a motion  
9 and/or affidavits within 7 days of the date of this order.

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11 Dated: June 30, 2015

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15 Troy L. Nunley  
16 United States District Judge  
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