

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

BENJAMIN ELLIS,

Plaintiff,

No. CIV S-04-1483 LKK CMK P

vs.

ALBONICO, et al.,

Defendants.

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

Benjamin Ellis, inmate # P-16230, a necessary and material witness in proceedings in this case on October 29, 2009, is confined in Salinas Valley 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 before the Honorable Dale A. Drozd, to appear by video-conferencing at Salinas Valley State Prison, October 29, 2009, at 10:00 a.m.

ACCORDINGLY, IT IS ORDERED that:

1. Plaintiff's October 14, 2009, motion (Doc. 135) for order or writ for inmate to appear by video conferencing 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 by video-conferencing before the 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;
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 to serve a courtesy copy of this order on the Prison Litigation Coordinator by fax, 831-678-5544.

WRIT OF HABEAS CORPUS AD TESTIFICANDUM

To: Warden, Anthony Hedgpeth, Salinas Valley State Prison, PO Box 1020, Soledad, CA 93960-1020:

WE COMMAND you to produce the inmate named above to testify before the United States District Court at the time and place above by video-conferencing, and from day to day until completion of the proceedings or as ordered by the court.

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 19, 2009



CRAIG M. KELLISON
 UNITED STATES MAGISTRATE JUDGE