

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

BYRON EUGENE JOHNSON,

Plaintiff,

No. CIV S-05-2123 KJM EFB P

vs.

DAVID L. RUNNELS, et al.,

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

Defendants.

Byron Eugene Johnson, inmate # T-43538, a necessary and material witness in proceedings in this case on April 6, 2011, is confined to High Desert State Prison, 475-750 Rice Canyon Road, P.O. Box 750, Susanville, CA, 96127-0750, 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 in Court, 15th Floor, Courtroom No. 3, United States Courthouse, 501 I Street, Sacramento, California on April 6, 2011, at 11:00 a.m.

ACCORDINGLY, IT IS ORDERED that:

1. The February 17, 2011 Order and Writ of Habeas Corpus Ad Testificandum is vacated;
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;
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 290002, Represa, California 95671-002; and
5. The Clerk of the Court is further directed to fax a courtesy copy of the writ to the Litigation Coordinator, High Desert State Prison.

WRIT OF HABEAS CORPUS AD TESTIFICANDUM

To: Warden, High Desert State Prison, 475-750 Rice Canyon Road, P.O. Box 750, Susanville, CA, 96127-0750:

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: March 23, 2011.



EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE