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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

ARTAY SCRUGGS,

Plaintiff,

No. CIV S-06-0633 FCD DAD P

vs.

S. VANCE, et al.,

Defendants.

ORDER

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Plaintiff is a state prisoner proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983. Before the court is plaintiff's motion for an order to have plaintiff produced for his trial which is set for December 7, 2010. Plaintiff's motion is unnecessary. Approximately two months prior to the trial, the court will issue a writ of habeas corpus ad testificandum. The writ requires the warden or administrator of the facility where plaintiff is detained to produce plaintiff for his court trial. Accordingly, IT IS HEREBY ORDERED that plaintiff's October 29, 2009 motion for an order to produce plaintiff for trial (Doc. No. 80) is denied as unnecessary.

DATED: November 13, 2009.

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DALE A. DROZD  
UNITED STATES MAGISTRATE JUDGE