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

ROBERT MORRIS,

Plaintiff,

No. 2:06-cv-2936 LKK KJN P

vs.

D. HICKISON, et al.,

Defendants.

ORDER

_____ /

Plaintiff is a state prisoner proceeding without counsel with a civil rights action pursuant to 42 U.S.C. § 1983. On October 5, 2009, plaintiff filed a motion to transfer plaintiff to be present at trial. The instant case has not yet been set for trial. Moreover, once the court issues the pretrial order governing plaintiff’s trial, the court will issue, sua sponte, a writ of habeas corpus ad testificandum requiring plaintiff’s attendance at trial. Plaintiff does not need to request a transfer or provide a writ. Thus, plaintiff’s motion will be denied as unnecessary.

IT IS HEREBY ORDERED that:

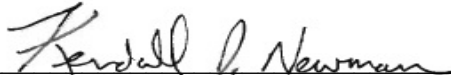
- 1. Plaintiff’s October 5, 2009 motion is denied. (Dkt. No. 90.)

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2. Plaintiff's October 5, 2009 petition for writ of habeas corpus ad testificandum is disregarded. (Dkt. No. 89.)

DATED: July 26, 2010


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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