

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

ROBERT DUANE FRANKLIN,

Plaintiff,

No. CIV S-07-0656 JAM CKD P

vs.

BUTLER, et al.,

Defendants.

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

Terrence Brownlee, inmate #C-20389, a necessary and material witness in proceedings in this case on November 7, 2011, is confined in High Desert 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 in Court, 14<sup>th</sup> Floor, Courtroom 6, United States Courthouse, 501 I Street, Sacramento, California on November 7, 2011, at 9:00 a.m..

ACCORDINGLY, IT IS ORDERED that:

1. 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;

2. 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;

3. The order and writ of habeas corpus ad testificandum issued October 20, 2011 (Docket No. 135) is quashed; and

4. The Clerk of the Court is directed to serve a courtesy copy of this order and writ of habeas corpus ad testificandum by fax on the Litigation Coordinator at 530-251-5031 and electronically on the Out-To-Court Desk, California State Prison - Sacramento.

**WRIT OF HABEAS CORPUS AD TESTIFICANDUM**

**To: The Warden of High Desert State Prison, 475-750 Rice Canyon Road, P.O. Box 750, Susanville, California 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: October 21, 2011

  
CAROLYN K. DELANEY  
UNITED STATES MAGISTRATE JUDGE