

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

ROBERT DUANE FRANKLIN,

Plaintiff,

No. CIV S-07-656 JAM KJM F

VS.

BUTLER, et al.,

Defendants.

ORDER

This case is currently set for trial on January 10, 2011 before the Honorable John A. Mendez. In the pretrial order, this court granted plaintiff's request to have two witnesses, Inmates Brownlee and Owens, brought to court to testify.

Inmate Brownlee has now filed two letters, asking to be removed from the witness list. He explains that medical problems make it difficult for him to sit for the period of time that a van ride from High Desert State Prison would take. The court will not require his physical presence, but will not remove him from the witness list; Inmate Brownlee will be permitted to testify by videoconferencing.

11111

|||||

11111

1 IT IS HEREBY ORDERED that Inmate Brownlee's motions to be removed from
2 the witness list (docket nos. 94 & 95) are denied, but he will be allowed to testify by
3 videoconferencing.

4 DATED: November 18, 2010.

5 
6 U.S. MAGISTRATE JUDGE
7

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
fran0656.witn