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7  
 8 IN THE UNITED STATES DISTRICT COURT  
 9 FOR THE EASTERN DISTRICT OF CALIFORNIA

11 JOHN MICHAEL KIRK,  
 12                   Petitioner,  
 13                   v.  
 14 TOM FELKER, et al.,  
 15                   Respondents.  
 16

No. CIV S-07-2521 GEB GGH P  
**ORDER & WRIT OF HABEAS  
 CORPUS AD TESTIFICANDUM VIA  
 VIDEOCONFERENCING**

17 **JOHN MICHAEL KIRK**, prisoner number **V-58590**, a necessary and material  
 18 witness in proceedings in this case on November 16, 2009, is confined in High Desert State  
 Prison, 475-750 Rice Canyon Road, P.O. Box 750, Susanville, CA 96127, in the custody of  
 19 Acting Warden Mike McDonald, *et al.*; in order to secure this prisoner's attendance it is  
 20 necessary that a Writ of Habeas Corpus ad Testificandum issue commanding the custodian to  
 produce the prisoner before the Honorable Gregory G. Hollows, to appear by video-  
 conferencing at High Desert State Prison, on November 16, 2009 at 9:00 a.m.

21 ACCORDINGLY, IT IS ORDERED that:

22 1. A Writ of Habeas Corpus ad Testificandum issue, under the seal of this court,  
 23 commanding the Warden to produce the prisoner named above to testify by video-  
 24 conferencing before the 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;

25 2. The custodian is ordered to notify the court of any change in custody of this  
 26 prisoner and is ordered to provide the new custodian with a copy of this writ; and

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1 **WRIT OF HABEAS CORPUS AD TESTIFICANDUM**

2 **To: Acting Warden Mike McDonald, High Desert State Prison, 475-750 Rice Canyon**  
3 **Road, P.O. Box 750, Susanville, CA 96127:**

4 **WE COMMAND** you to produce the prisoner named above to testify before the  
5 United States District Court at the time and place above by videoconferencing, and from day  
6 to day until completion of the proceedings or as ordered by the court.

7 **FURTHER**, you have been ordered to notify the court of any change in custody  
8 of the prisoner and have been ordered to provide the new custodian with a copy of this writ.

9 DATED: October 16, 2009

/s/ Gregory G. Hollows

10 **UNITED STATES MAGISTRATE JUDGE**

11 kirk2521.vid