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IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

JOHN MICHAEL KIRK, Petitioner, v. TOM FELKER, et al., Respondents.	No. CIV S-07-2521 GEB GGH P **ORDER & WRIT OF HABEAS CORPUS AD TESTIFICANDUM VIA VIDEOCONFERENCING**

JOHN MICHAEL KIRK, prisoner number **V-58590**, a necessary and material witness in proceedings in this case on December 1, 2009, is confined in High Desert State Prison,475-750 Rice Canyon Road, P.O. Box 750, Susanville, CA 96127, in the custody of Acting Warden Mike McDonald, *et al.*; in order to secure this prisoner's attendance it is 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 December 1, 2009 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 prisoner named above to testify by video-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;

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

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WRIT OF HABEAS CORPUS AD TESTIFICANDUM

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

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

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

DATED: October 27, 2009 /s/ Gregory G. Hollows

UNITED STATES MAGISTRATE JUDGE

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