

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

ANTHONY PENTON,

No. 2:11-cv-0518-TLN-KJN P

Plaintiff,

v.

L. JOHNSON, et al.,

**ORDER AND AMENDED WRIT OF HABEAS
CORPUS AD TESTIFICANDUM**

Anthony Penton, inmate #P-73663, a necessary and material witness in a settlement conference in this case on August 30, 2018, is confined in Ironwood State Prison, in the custody of the Warden. By an order filed July 27, 2018, the court directed the Warden to produce the inmate in person at the Settlement Conference. The court is in receipt of plaintiff's counsel's request (ECF No. 132), in which she requests that the writ be amended to provide for plaintiff to appear by phone rather than in person. That request is GRANTED. Accordingly, in order to secure this inmate's attendance it is necessary that an Amended Writ of Habeas Corpus ad Testificandum issue commanding the custodian to produce the inmate before Magistrate Judge Edmund F. Brennan to appear by telephone from his present place of confinement to the U. S. District Court, Courtroom No. 8, 501 I Street, Sacramento, California 95814, on August 30, 2018, at 10:00 a.m.

ACCORDINGLY, IT IS ORDERED that:

1. The Court's July 27, 2018 writ of habeas corpus ad testificandum is VACATED;
2. An amended Writ of Habeas Corpus ad Testificandum issues, under the seal of this court, commanding the Warden to produce the inmate named above to participate in a settlement conference by telephone at the time and place above, until completion of the settlement conference or as ordered by the court.
3. 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.
4. The Clerk is directed to serve a copy of this order and amended writ on the Litigation Coordinator at Ironwood State Prison by facsimile.

WRIT OF HABEAS CORPUS AD TESTIFICANDUM

To: The Warden, Ironwood State Prison, P.O. Box 2229, Blythe, CA 92226:

WE COMMAND you to produce the inmate named above to testify before Judge Brennan at the time and place above, by telephone, until completion of the settlement conference or as ordered by the court.

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: August 9, 2018.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE