

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

MICHAEL LENOIR SMITH,

Plaintiff,

No. 2:15-cv-1598 JAM KJN P

vs.

DARREN ALBEE, et al.,

Defendants.

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

Michael Lenoir Smith, inmate P-64019, a necessary and material witness in proceedings in this case on December 12, 2018, is confined in Mule Creek 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 before the Honorable Magistrate Judge Kendall J. Newman, to appear by video-conferencing at Mule Creek State Prison on December 12, 2018 at 1:30 PM.

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 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 inmate and is ordered to provide the new custodian with a copy of this writ;
3. The Clerk of the Court is directed to serve a copy by fax on the Litigation Coordinator at Mule Creek State Prison, (209) 274-5018; and
4. Counsel for defendant, the assigned Deputy Attorney General, shall confirm with the prison no less than two days prior to the settlement conference that the prison's video-conference equipment will connect to the court's system. Any difficulties shall immediately be reported to Alexandra Waldrop, Courtroom Deputy, at (916) 930-4187.

WRIT OF HABEAS CORPUS AD TESTIFICANDUM

To: The Warden, Mule Creek State Prison, PO Box 409099, Ione, CA 95640:

WE COMMAND you to produce the inmate named above to testify before the United States District Court at the time and place above by video-conferencing, 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 inmate and have been ordered to provide the new custodian with a copy of this writ.

Dated: September 20, 2018

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 KENDALL J. NEWMAN
 UNITED STATES MAGISTRATE JUDGE