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18
 19 UNITED STATES DISTRICT COURT
 20 NORTHERN DISTRICT OF CALIFORNIA
 21 SAN FRANCISCO DIVISION

22 DEXTER E. DALE,
 23 Plaintiff,
 24 v.
 25 L. FERNANDEZ AND L. LOUGH
 26 Defendants.

No. C 05-1842 JSW
**STIPULATION AND [PROPOSED]
 WRIT OF HABEAS CORPUS AD
 TESTIFICANDUM AND ORDER TO
 TRANSFER INMATE DEXTER E.
 DALE (D-14750)**

Dept: Courtroom 11, 19th Floor
 Judge: Hon. Jeffrey S. White

STIPULATION

1
2 1. Plaintiff in this action, Dexter E. Dale, CDCR No. D-14750, is a prisoner-inmate
3 at the Correctional Training Facility in Soledad, California in the custody of the Warden;

4 2. Plaintiff is a necessary and material witness at the trial in this action, which is
5 scheduled to commence on August, 6, 2012;

6 3. In order to secure Plaintiff’s attendance at trial, it is necessary that a Writ of
7 Habeas Corpus Ad Testificandum issue commanding the custodian of Dexter E. Dale to produce
8 him at trial;

9 4. Counsel for Plaintiff and Defendants have met and conferred and agreed that
10 Plaintiff shall be transferred to San Quentin State Prison approximately one week prior to trial to
11 enable counsel for Plaintiff to prepare him for trial;

12 Therefore, pursuant to Local Rule 7-12, Plaintiff and Defendants, through counsel, hereby
13 submit this stipulated request for a Writ of Habeas Corpus Ad Testificandum and Order to
14 Transport Inmate Dexter Dale.

15 Dated: July 13, 2012

DECHERT LLP

16 By: /s/ Amy Thayer
17 AMY THAYER

18 Counsel for Plaintiff DEXTER E. DALE

19 CALIFORNIA STATE ATTORNEY GENERAL’S
20 OFFICE

21 By: /s/ Daniel Alweiss¹
22 DANIEL ALWEISS

23 Counsel for Defendants L. FERNANDEZ and
24 L. LOUGH

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27 ¹ Pursuant to General Order 45(X), the filer of this document hereby attests that concurrence in
28 the filing of the document has been obtained from Daniel Alweiss.

~~PROPOSED~~ ORDER

1
2 ACCORDINGLY, IT IS ORDERED that:

3 A Writ of Habeas Corpus Ad Testificandum shall issue commanding the Warden of the
4 Correctional Training Facility in Soledad, California to produce Dexter E. Dale, CDCR No. D-
5 14750, to San Quentin State Prison not later than July 30, 2012, where he will remain from day to
6 day until completion of the trial.

7 A Writ of Habeas Corpus Ad Testificandum shall issue commanding the Warden of San
8 Quentin State Prison to produce Dexter E. Dale, CDCR No. D-14750, for pickup by the U.S.
9 Marshals service at 6:30 a.m. on August 6, 2012, and on each trial day thereafter until completion
10 of the trial.

11 **WRIT OF HABEAS CORPUS AD TESTIFICANDUM**

12 TO THE WARDEN OF Correctional Training Facility in Soledad, California:

13 YOU ARE ORDERED to produce Dexter E. Dale, CDCR No. D-14750, to San Quentin
14 State Prison not later than July 30, 2012, where he will remain from day to day until completion
15 of the trial.

16 TO THE WARDEN OF San Quentin State Prison, California:

17 YOU ARE ORDERED to produce Dexter E. Dale, CDCR No. D-14750, for pickup by the
18 U.S. Marshals service at 6:30 a.m. on August 6, 2012, and on each trial day thereafter until
19 completion of the trial.

20 IT IS SO ORDERED.

21 July 16, 2012

22 
23 THE HONORABLE JEFFREY S. WHITE
24 United States District Judge