

ORRICK, HERRINGTON & SUTCLIFFE LLP
 ERIC MATTHEW HAIRSTON (SBN 229892)
 ehairston@orrick.com
 NATHAN SHAFFER (SBN 282015)
 nshaffer@orrick.com
 ANDREW JOONMIN KIM (SBN 303081)
 ajkim@orrick.com
 405 Howard Street, San Francisco, CA 94105
 Tel: 1.415.773.5700 / Fax: 1.415.773.5759

Attorneys for Plaintiff Daniel C. Garcia

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

DANIEL C. GARCIA,

Plaintiff,

v.

CITY OF SANTA CLARA, et al.,

Defendants.

Case No. 3:10-cv-02424-SI

~~[PROPOSED]~~ WRIT OF HABEAS
 CORPUS AD TESTIFICANDUM

Hearing Date: April 21, 2017
 Trial Date: May 30, 2017
 Time: 8:30 a.m.
 Place: Courtroom 1, 17th Floor
 Judge: Hon. Susan Illston

Daniel C. Garcia, inmate no. AM5700, is a necessary and material party in proceedings in this case and is confined in MULE CREEK STATE PRISON, P.O. Box 409099, Ione, CA, 95640.

ACCORDINGLY, IT IS ORDERED:

1. That a Writ of Habeas Corpus Ad Testificandum issue, under the seal of this Court, commanding the Warden of Mule Creek State Prison, P.O. BOX 409099, IONE, CALIFORNIA 95640, to produce the inmate to a facility that is in reasonable proximity to the United States District Court located at 450 Golden Gate Ave., San Francisco, CA 94102, of the Warden's choice no later than May 26, 2017. Mr. Garcia shall receive the medical treatment and care as required by his current medical records, which will be produced with Mr. Garcia; Mr. Garcia shall be permitted to bring legal papers and notes with him; and Mr. Garcia shall be permitted to

1 meet with his attorneys.

2 2. That a Writ of Habeas Corpus Ad Testificandum issue, under the seal of this Court,
3 commanding the Warden of Mule Creek State Prison, P.O. Box 409099, Ione, CA 95640 to
4 produce the inmate before this court, Courtroom 1, 17th Floor, United States Courthouse, 450
5 Golden Gate Ave., San Francisco, California 94102 on May 30, 2017 at 8:30 a.m. and from day
6 to day until the completion of court proceedings as ordered by the Court and to provide any
7 necessary security during court proceedings each day;

8 3. The Clerk of Court is ordered to serve a courtesy copy of this order and Writ of Habeas
9 Corpus Ad Testificandum on the Warden of Mule Creek State Prison, P.O. Box 409099, Ione,
10 California 95640.

11 4. The Clerk of Court is ordered to serve a courtesy copy of this order and Write of Habeas
12 Corpus Ad Testificandum on the Out to Court Desk at Mule Creek State Prison, P.O. Box 409099,
13 Ione, California 95640.

14 5. Upon completion of the trial, and upon satisfaction of this writ by the Court, the Warden
15 of Mule Creek State Prison is ordered to return Mr. Garcia directly to Mule Creek State Prison
16 under safe and secure conduct, and without detour or delay.

17 6. Mule Creek State Prison shall bear its costs in implementing the terms of this writ and the
18 United States Marshals service shall bear the cost it incurs, if any.

19
20 WRIT OF HABEAS CORPUS AD TESTIFICANDUM

21 TO THE WARDEN OF MULE CREEK STATE PRISON,

22 We COMMAND you to produce the inmate named above to a facility of your choice that
23 is in reasonable proximity to United States District Court located at 450 Golden Gate Ave., San
24 Francisco, CA 94102, on May 26, 2017, and to produce Mr. Garcia for appearance before the
25 United States District Court at the time and place named above, and from day-to-day until the
26 completion of court proceedings, as ordered by the Court; and thereafter to return the inmate
27 directly to Mule Creek State Prison without detour or delay. Mr. Garcia shall receive the medical
28 treatment and care as required by his current medical records, which will be produced with Mr.

1 Garcia; Mr. Garcia shall be permitted to bring legal papers and notes with him; and Mr. Garcia
2 shall be permitted to meet with his attorneys.

3 Further, you are hereby ordered to notify the Court of any change of custody of the inmate
4 and to provide the new custodian with a copy of this writ.

5 **IT IS SO ORDERED.**

6 March 27, 2017



Honorable Susan Illston
United States District Judge