

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Robert E. Blackburn**

Civil Action No. 12-cv-02257-REB-KLM

DEAN CARBAJAL,

Plaintiff,

v.

MICHAEL O'NEILL, Police Officer for the Denver Police Department, in his individual capacity,
JAY LOPEZ, Police Officer for the Denver Police Department, in his individual capacity,
LARRY BLACK, Police Officer for the Denver Police Department, in his individual capacity,

Defendants.

ORDER FOR ISSUANCE OF WRIT OF HABEAS CORPUS AD TESTIFICANUM

Blackburn, J.

The matter is before me again on plaintiff's **Petition For a Writ of Habeas Corpus Ad Testificandum** [#356],¹ filed July 31, 2015. After reviewing the motion and the record, I conclude that the motion should be granted and that a writ of habeas corpus ad testificandum should be issued to the Warden of the Arkansas Valley Correctional Facility, Ordway, Colorado, as custodian of the plaintiff to produce the plaintiff, Dean Carbajal, to testify at trial in this matter.

THEREFORE, IT IS ORDERED as follows:

¹ “[#356]” is an example of the convention I use to identify the docket number assigned to a specific paper by the court's case management and electronic case filing system (CM/ECF). I use this convention throughout this order.

1. That plaintiff's **Petition For a Writ of Habeas Corpus Ad Testificandum** [#356], filed July 31, 2015, is granted;

2. That a Writ of Habeas Corpus Ad Testificandum shall be issued for

Dean Carbajal
Arkansas Valley Correctional Facility (AVCF)
12750 Highway 96 at Lane 13
Ordway, CO 81034

to appear in this court to testify at trial on Monday, August 10, 2015, at 7:00 a.m. (MDT), and continuing from day-to-day through the duration of the trial;

3. That the United States Marshal for the District of Colorado is authorized and directed to serve the Writ of Habeas Corpus Ad Testificandum on the custodian of the plaintiff, the Warden of the Arkansas Valley Correctional Facility, Ordway, Colorado;

4. That the Warden of the Arkansas Valley Correctional Facility, Ordway, Colorado, shall transport Dean Carbajal to the United States District Court for the District of Colorado, to appear as a party and material witness in the trial of this case; and

5. That this order shall be served forthwith on the United States Marshal for the District of Colorado and the Colorado Department of Corrections (the Warden of Arkansas Valley Correctional Facility).

Dated August 4, 2015, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn
United States District Judge