

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION

RICHARD JACKSON,)
)
 Plaintiff,)
)
 v.)
)
 DETECTIVE ROSS ALLEN,)
)
 Defendant.)

Case No. 1:09-cv-117

OPINION AND ORDER

A conference was held and concluded today on Plaintiff’s Petitions for Writ of *Habeas Corpus Ad Testificandum* for Witness Martin Frieszell, an inmate presently housed at Putnamville Correctional Facility. (Docket # 77, 78). The parties’ counsel appeared telephonically, and their statements on the Petitions were heard and concluded.

Based on such statements, the court finds that the testimony of witness Martin Frieszell is not necessary and, in effect, would be cumulative. *See, e.g., Bell v. Wathen*, No. 07-10609, 2008 WL 1743887, at *1 (5th Cir. Apr. 14, 2008) (affirming denial of motion for writ of *ad testificandum* where testimony was duplicative); *Powell v. Fink*, No. 06-C-58-C, 2006 WL 6010903, at *1-2 (W.D. Wis. Sept. 7, 2006) (denying motion for writ of *ad testificandum* where testimony was unnecessary and cumulative). Accordingly, Plaintiff’s Petitions for Writ of *Habeas Corpus Ad Testificandum* (Docket # 77, 78) are DENIED.

SO ORDERED. Entered this 20th day of April, 2011.

/S/ Roger B. Cosby
Roger B. Cosby,
United States Magistrate Judge