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 Cynthia M. Sablica, Lavonne Atkins-St. Rose,
 8 And James S. Henson

11
 12 **UNITED STATES DISTRICT COURT**
 13 **DISTRICT OF NEVADA**

14 MARTINEZ AYTCH,) Case No. 2:08-CV-01773-RLH-VCF
)
 15 Plaintiff,)
)
 16 vs.) **APPLICATION AND ORDER**
) **TO PRODUCE INMATE FOR TRIAL**
 17 CYNTHIA SABLICA, *et al.*,)
)
 18 Defendants.)

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 20 Defendants Cynthia M. Sablica, Lavonne Atkins-St. Rose, and James S. Henson, by and
 21 through legal counsel, Catherine Cortez Masto, Attorney General, and Kelly M. Smith, Deputy
 22 Attorney General, hereby apply for an order directing the Nevada Department of Corrections
 23 (“NDOC”) to produce inmate Martinez Aytch (#54102), plaintiff *pro se*, for his attendance at trial
 24 in the United States District Courthouse in Las Vegas, Nevada, from November 6, 2013, at
 25 9:00 a.m. through November 7, 2013, 5:00 p.m., or until the completion of trial, whichever is
 26 later.

27 On August 6, 2013, the court issued an Order directing Defendants to arrange Plaintiff’s
 28 appearance made via telephone for calendar call scheduled for October 22, 2013, at 10:00 a.m.,

Attorney General’s Office
 555 E. Washington, Suite 3900
 Las Vegas, NV 89101

1 and to arrange Plaintiff's physical appearance at trial beginning on November 6, 2013, at
2 10:00 a.m. (Doc. 101).

3 Inmate transportation is governed by the Nevada Revised Statutes and NDOC
4 Administrative Regulations. See NRS 209.274 ("when an offender is required or requested to
5 appear before a court in this state, the Department shall transport the offender to and from court
6 on the day scheduled for his or her appearance"); AR 740.02 ("transportation activities should be
7 limited to those which are minimally required to conform to law").

8 In an effort for the NDOC transportation authority to be fully compliant with the applicable
9 law and regulations, Defendant respectfully applies for an order from this court directing the
10 Nevada Department of Corrections to:

11 (1) produce inmate Martinez Aytch, #54102, at the Lloyd D. George U.S. Courthouse,
12 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101 by 10:00 a.m. on November 6,
13 2013, and on each and every day that follows until 5:00 p.m., or until trial in the above-captioned
14 matter is completed, whichever is later; and,

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1 (2) make other necessary arrangements to ensure inmate Martinez Aytch, #54102,
2 remains physically present at the Lloyd D. George U.S. Courthouse, 333 Las Vegas Boulevard
3 South, Las Vegas, Nevada 89101 from 10:00 a.m. through 5:00 p.m. for the duration of the trial.


4 DATED this 23rd day of September, 2013.

5 Respectfully submitted,

6 CATHERINE CORTEZ MASTO
7 Attorney General

8 By: /s/ Kelly M. Smith
9 KELLY M. SMITH
10 Deputy Attorney General
11 Nevada State Bar No. 7075
12 *Attorneys for Defendants*
13 *Cynthia M. Sablica, Lavonne Atkins-St. Rose,*
14 *and James S. Henson*

15 IT IS SO ORDERED:

16 

17 United States Magistrate Judge

18 DATED: 10-1-2013