

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

SHAMIR BATISTA,

Plaintiff,

v.

DET. MICHAEL LECLAIR,

Defendant.

Case No. 1:17-cv-01994-KPF

Hon. Katherine Polk Failla

**ORDER**

**TO: METROPLITAN CORRECTIONAL CENTER  
150 Park Row  
New York, New York 10007**

**OR**

**Whatever facility the New York State Department of Corrections and Community Supervision chooses to house Shamir Batista, #18-A-3248, that is determined to be close to the United States Courthouse, 40 Foley Square, New York, New York, and can detain state prisoners awaiting and participating in civil trials in the Southern District of New York while the Metropolitan Correctional Center, 150 Park Row, New York, New York is closed, pursuant to this Court's Writ of Habeas Corpus Ad Testificandum, dated April 5, 2022 ("CORRECCIONAL FACILITY")**

**WHEREAS** the above-entitled Plaintiff must attend a jury trial at the United States Courthouse, located at 40 Foley Square, New York, New York 1007 on May 2, 2022 through May 13, 2022; and

**WHEREAS** pursuant to this Court's Writ of Habeas Corpus Ad Testificandum, dated April 5, 2022, Plaintiff will be incarcerated in Metropolitan Correctional Center, New York, NY, or the CORRECCIONAL FACILITY (another facility to be determined close to the United States Courthouse that can detain state prisoners awaiting and participating in civil trials in the Southern District of New York while the Metropolitan Correctional Center is closed), during the course of the trial;


**WHEREAS** this Court's Writ of Habeas Corpus Ad Testificandum, dated April 5, 2022, stated that Plaintiff's counsel are authorized as officers of the Court to relay any further instructions from the Court, regarding the transport, safekeeping, care and subsistence of Plaintiff to the warden of the Correctional Facility and the United States Marshal, and

**WHEREAS** *pro bono* counsel needs to deliver appropriate attire for Plaintiff to wear to court;

**NOW THEREFORE IT IS ORDERED** that the METROPOLITAN CORRECTIONAL

CENTER or CORRECTIONAL FACILITY accept two (2) sets of trial clothes from Nicholas C. Carullo, Esq., Arun Subramanian, Esq., or Steven Shepard, Esq. and deliver them to inmate Shamir Batista NYS DOCCS #18-A-3248.

Dated: April 11, 2022

So Ordered:   
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Hon. Katherine Polk Failla