

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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CLAYTON MELLENDER,

Petitioner,

v.

DR. CHARLES LARSON and  
RICHARD RAEMISCH,

Defendants.

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ORDER

06-C-547-C

An evidentiary hearing is scheduled in this case for January 9, 2007, on plaintiff's motion for a preliminary injunction. Now before the court is plaintiff's motion for a writ of habeas corpus ad testificandum for inmate Alfredo Vargas, whom plaintiff avers was a witness to two seizures plaintiff allegedly experienced, and for which defendant Larson has refused to provide medical treatment. Plaintiff avers that Vargas is willing to testify voluntarily on plaintiff's behalf.

Whether plaintiff has experienced seizures is a question relevant to the strength of his request for medical treatment. Vargas's testimony may be relevant on this point; therefore, plaintiff's motion will be granted.

ORDER

IT IS ORDERED that plaintiff Clayton Mellender's "Motion for a Writ of Habeas Corpus ad Testificandum for Inmate Alfredo Vega" is GRANTED. The Clerk of Court shall issue a writ of habeas corpus ad testificandum for the attendance of inmate Alfredo Vega (Waupun Correctional Institution), at the January 9, 2007 hearing.

Entered this 29th day of December, 2006.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge