

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

MICHAEL B. KINGSLEY,

Plaintiff,

v.

ROBERT CONROY, STAN HENDRICKSON,
FRITZ DEGNER and KARL BLANTON,

Defendants.

ORDER

10-cv-832-bbc

Plaintiff Michael Kingsley is proceeding with counsel on claims that defendants Robert Conroy, Stan Hendrickson, Fritz Degner and Karl Blanton used excessive force on him while he was a pretrial detainee in violation of his rights under the Fourteenth Amendment and state law. A trial is scheduled for October 9, 2012. Plaintiff has filed a motion requesting a writ of habeas corpus ad testificandum for his presence at trial. Dkt. #98. That request will be granted. Plaintiff also requests a writ for his appearance at the courthouse sometime the week before the trial begins so that he can meet with his attorneys and prepare for trial. That request will be denied. As convenient as it would be for counsel to meet with plaintiff in Madison, moving plaintiff the week before trial would impose a significant burden on the court's and the prison's resources that cannot be justified in this instance. If plaintiff's lawyers wish to meet with him before trial, they will have to do so at

the Wisconsin Resource Center or make arrangements with the prison to speak to him by telephone.

ORDER

IT IS ORDERED that plaintiff Michael Kingsley's motion for a writ of habeas corpus ad testificandum, dkt. #98, is GRANTED IN PART and DENIED IN PART. The motion is GRANTED with respect to plaintiff's request to be transferred to the court for purposes of trial. The motion is DENIED in all other respects. The Clerk of Court is directed to issue a writ of habeas corpus ad testificandum for the attendance of plaintiff at trial beginning on October 9, 2012. Plaintiff is to be at the courthouse no later than 8:00 a.m.

Entered this 13th day of September, 2012.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge