

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
WINSTON-SALEM DIVISION

UNITED STATES OF AMERICA :
 :
 v. : No. [REDACTED]
 :
 [REDACTED] :

AFFIDAVIT AND MOTION FOR WRIT OF HABEAS CORPUS
AD TESTIFICANDUM FOR SCOTT GIBSON
FILED EX PARTE

Gregory Davis, Assistant Federal Public Defender for the Middle District of North Carolina, respectfully shows unto the Court the following:

The defendant, [REDACTED] is charged with criminal offenses in the United States District Court. A trial is scheduled before United States District Judge William L. Osteen, Sr., on December 13, 1993, at 9:30 a.m., in Winston-Salem, North Carolina. The presence of Scott Gibson at the trial is required because he is a necessary witness concerning matters essential to the defense. Scott Gibson is presently in the custody of the Sheriff, Forsyth County Jail, Winston-Salem, North Carolina.

And, whereas, said [REDACTED] cannot be reached and his attendance secured under the process of the Court, and his presence being necessary for the defense of the aforesaid action;

WHEREFORE, the defendant petitions the Court for a WRIT OF HABEAS CORPUS AD TESTIFICANDUM, directed to the Sheriff, Forsyth County Jail, Winston-Salem, North Carolina, or such other proper person, directing the officer to deliver the said Mr. Scott Gibson, upon presentation of

this Writ, in order that the said Mr. Scott Gibson may be present before the United States District Court for the Middle District of North Carolina at Winston-Salem, North Carolina, on the 13th day of December, 1993, at 9:30 a.m.

GREGORY DAVIS
Assistant Federal Public Defender
North Carolina Bar No. [REDACTED]

Gregory Davis, Assistant Federal Public Defender for the Middle District of North Carolina, being duly sworn, says that the facts set forth in the foregoing Petition are true and correct as he is informed after a full and thorough investigation.

Sworn to and subscribed before me this
the ____ day of _____, 1993.

NOTARY PUBLIC

My Commission Expires:_____

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
WINSTON-SALEM DIVISION

NO. [REDACTED]

THE PRESIDENT OF THE UNITED STATES OF AMERICA

TO: Sheriff, Forsyth County Jail
Winston-Salem, North Carolina

It appearing to the Court that the presence of [REDACTED] is necessary in order to conduct the trial in the case of United States v. John Doe, which is calendared for December 13, 1993, at Winston-Salem, North Carolina, and it appearing that the said [REDACTED] is now confined by the Sheriff, Forsyth County Jail, Winston-Salem, North Carolina, and cannot be reached and his attendance secured under the ordinary process of the court;

It is thereby ORDERED and ADJUDGED by the Court that the Sheriff, Forsyth County Jail, Winston-Salem, North Carolina, the custodian of the necessary witness, Mr. [REDACTED] is directed to deliver Mr. [REDACTED] upon presentation of this Writ of Habeas Corpus Ad Testificandum, in order that the said Sheriff may have the prisoner before the District Court of the United States in the Middle District of North Carolina, at Winston-Salem, North Carolina, on the 13th day of December, at 9:30 a.m.; and it is FURTHER ORDERED that when Mr. Gibson has served his purpose and is released by the Court that he be returned by the Sheriff to said facility.

UNITED STATES MAGISTRATE JUDGE