

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Durrell Anthony Puckett v. Baraona, et al.

Puckett v. Baraona · No. 1:21-cv-01448-KES-BAM (PC) · Decided December 17, 2025

SUMMARY

The United States District Court for the Eastern District of California granted Plaintiff Durrell Anthony Puckett’s motions for the attendance of three incarcerated witnesses at trial in his 42 U.S.C. § 1983 action. The court found that Arlington Heyligar, Nirran Wells, and David Brinson appeared to be percipient witnesses and ordered that necessary writs of habeas corpus ad testificandum be issued.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Barbara A. McAuliffe
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	December 17, 2025
DOCKET	1:21-cv-01448-KES-BAM (PC)
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for the attendance of three incarcerated witnesses at his forthcoming jury trial in a 42 U.S.C. § 1983 action. The magistrate judge granted the motions without opposition.
STANDARD OF REVIEW	The court applied the factors governing attendance of incarcerated witnesses and exercised its discretion in determining whether their presence would substantially further resolution of the case, considering security risks, transportation and security expense, and whether the action could be stayed until release.
PRECEDENTIAL VALUE	Unknown
PARTIES	Durrell Anthony Puckett v. Baraona, et al.

TOPICS

- prisoners rights
- civil rights
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the attendance of Arlington Heyligar, Nirran Wells, and David Brinson should be ordered for plaintiff's jury trial.
2. Whether the identified incarcerated witnesses appeared sufficiently likely to provide relevant firsthand testimony to justify transportation and issuance of writs of habeas corpus ad testificandum.

HOLDINGS

1. A court may order the attendance of an incarcerated witness at trial after considering whether the witness's presence will substantially further resolution of the case, the security risks, the expense of transportation and security, and whether the action could be stayed until the witness's release without prejudice.
2. The motions for attendance of Arlington Heyligar, Nirran Wells, and David Brinson at plaintiff's trial are granted.

KEY QUOTATIONS

“In determining whether to grant the motions for the attendance of incarcerated witnesses, the Court considers the following factors: (1) whether the inmate’s presence will substantially further the resolution of the case, (2) the security risks presented by the inmate’s presence, (3) the expense of transportation and security, and (4) whether the suit can be stayed until the inmate is released without prejudice to the cause asserted.” (at 1)

“The Court will issue the necessary writs of habeas corpus ad testificandum for the transportation of the incarcerated witnesses, prior to the trial in this matter.” (at 4)

FACTUAL BACKGROUND

Plaintiff alleges that prison officials violated the Eighth Amendment during events on January 20, 2021, including through excessive force, sexual assault, and failure to protect. Plaintiff identified Arlington Heyligar, Nirran Wells, and David Brinson as incarcerated percipient witnesses to events leading up to, during, or following the incident. Each witness submitted a declaration describing relevant observations, and defendants did not oppose the requested attendance.

PROCEDURAL HISTORY

Plaintiff, a state prisoner proceeding pro se and in forma pauperis, brought an Eighth Amendment civil-rights action against prison officials. The case was set for jury trial on claims involving excessive force, sexual assault, and failure to protect. Plaintiff filed motions seeking the attendance of three incarcerated witnesses; defendants did not oppose, and the motions were deemed submitted under Local Rule 230(l).

DISPOSITION

other

CASES CITED

- Wiggins v. County of Alameda, 717 F.2d 466, 468 n.1 (9th Cir. 1983)
- Walker v. Sumner, 14 F.3d 1415, 1422 (9th Cir. 1994)
- Sandin v. Conner, 515 U.S. 472 (1995)

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