IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
NORTHERN DIVISION

MU'MIN ABDULAZIZ/ASKEW,   PLAINTIFF
ADC #82276

v.   1:12CV00102-DPM-JTK

CORY WILLIAMS, et al.   DEFENDANTS

ORDER

This matter is before the Court on Plaintiff's Motion to Compel (Doc. No. 43). Defendants

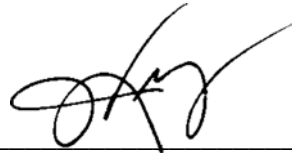filed a Response in opposition to the Motion (Doc. No. 44).

In his Motion, Plaintiff states Defendants failed to provide him with requested discovery,

because they did not provide him with copies of his mental health records and because not all of the

Defendants signed the discovery responses. In Response, Defendants state that Arkansas

Department of Correction (ADC) policy forbids providing inmates with copies of their medical and

mental health records, and that Plaintiff has been provided opportunities to review his records and

make notes. In addition, not all of the present Defendants were part of this lawsuit at the time the

discovery was propounded; therefore, they did not all sign the responses. Finally, Defendants note

that Plaintiff failed to comply with FED.R.CIV.P. 37(a)(1), which requires a movant to confer in good

faith with the opposing party prior to filing a motion to compel, and to provide a certificate of good

faith.

The Court finds that Plaintiff's Motion should be denied and that Defendants have

adequately responded to his discovery requests. ADC policy forbids copies of medical and mental

health records and Plaintiff does not claim that he has been denied the opportunity to review the

relevant records for this lawsuit. In addition, Defendants present an adequate explanation for

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lacking the signatures of all the Defendants. Finally, the Court finds that any failure in the future

of either party to comply with the good faith Rule requirements will render the automatic denial of

a motion to compel.   Accordingly,

IT IS, THEREFORE, ORDERED that Plaintiff's Motion to Compel (Doc. No. 43) is

DENIED.

IT IS SO ORDERED this 16th day of April, 2013.

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JEROME T. KEARNEY
UNITED STATES MAGISTRATE JUDGE