

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
BATESVILLE DIVISION**

WILBERT LEZELL JOHNSON
ADC #84494

PLAINTIFF

V.

NO: 1:14CV00163 KGB/JWC

JOE PAIGE *et al*

DEFENDANTS

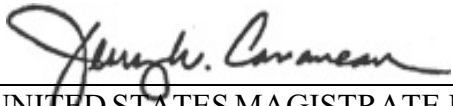
ORDER

On May 29, 2015, Plaintiff filed a motion to compel, seeking to compel production of video of a May 18, 2014, incident, as well as hearing appeals and transcripts made in connection with the case, and names and other information regarding witnesses Defendants intend to call at trial.

Defendants filed a response in opposition (docket entry #43), asserting the video was destroyed before service was accepted for this case, and they cannot produce what does not exist. Defendants also state that documents from the May 18, 2014, disciplinary event have already been provided, but they provided another copy of their discovery responses.

Defendants cannot provide a video that does not exist, and they have provided a copy of the disciplinary records from the incident. Accordingly, Plaintiff's motion (docket entry #42) is DENIED.¹

IT IS SO ORDERED this 19th day of May, 2015.


UNITED STATES MAGISTRATE JUDGE

¹Defendants' discovery responses indicate that they have yet to determine who will be called as witnesses at trial.