

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

KEONDRA MONTREL CHESTANG,
ADC #134005

PLAINTIFF

v.

2:09-cv-00068-JLH-JTK

MARTHA WIGGINS

DEFENDANT

ORDER

In response to the Court’s Order of May 24, 2010 (Doc. No. 62), and in anticipation of the Evidentiary Hearing scheduled for 9:30 a.m., April 18, 2011, at the Richard Sheppard Arnold United States Courthouse, 600 West Capitol, Courtroom 4B, Little Rock, Arkansas, the Plaintiff has submitted a witness list requesting seven witnesses, including himself and the Defendant (Doc. No. 68). Defendant filed a Response, objecting to three of Plaintiff’s requested witnesses: non-parties Ray Hobbs, Greg Harmon and Steve Outlaw (Doc. No. 72). Defendants state these individuals were supervisory officials of Defendant Wiggins and were not present during the acts alleged by Plaintiff.

In support of his request, Plaintiff states Defendant Hobbs, who was Assistant ADC Director at the time of the incident, reviewed Plaintiff’s grievance on appeal and found Defendant’s actions not within the scope of the ADC policies and procedures. He states Defendants Warden Harmon and Assistant Warden Steve Outlaw also will testify as to their investigation, knowledge and experience with the factors surrounding the Defendant’s violations.

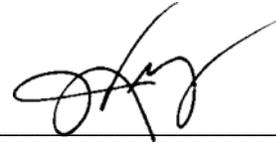
Having reviewed Plaintiff’s request and the Defendant’s Response, the Court will allow requested witness Greg Harmon, but will disallow requested witnesses Ray Hobbs and Steve Outlaw, as their testimony will be repetitive of that offered by Harmon. The Court also will allow

Plaintiff's requested inmate witnesses, Jamie Dale Bryant, ADC #127178, and Otis Arnold, ADC #098272. Accordingly,

IT IS, THEREFORE, ORDERED that the Arkansas Department of Correction (ADC) shall ensure the attendance of the Plaintiff, inmates Jamie Dale Bryant (ADC #127178) and Otis Arnold (ADC #098272), Defendant Wiggins, and Warden Greg Harmon at the April 28, 2011 Hearing, together with a copy of Plaintiff's medical records and institutional file.

The Clerk of the Court is directed to forward a copy of this Order to the Arkansas Department of Correction Central Transportation/Medical Services, 7203 West 7th Street, Pine Bluff, AR 71603.

IT IS SO ORDERED this 11th day of April, 2011.



JEROME T. KEARNEY
UNITED STATES MAGISTRATE JUDGE