

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

AL M. WILLIAMS
#362773

PLAINTIFF

V.

CASE NO. 2:09CV00100 JLH/BD

LONNIE WHITFIELD, et al.

DEFENDANTS

ORDER

Plaintiff has filed a motion to vacate and a motion to compel. (Docket entries #266 and #267) Plaintiff's motions (#266 and #267) are DENIED.

I. Motion to Vacate

In Plaintiff's motion to vacate, he requests that the Court reconsider its order compelling him to pay the \$455.00 appellate filing fee. Plaintiff cannot avoid paying the filing fee of his appeal in this matter. Accordingly, Plaintiff's motion (#266) is DENIED.

II. Motion to Compel

In his motion to compel, Plaintiff requests the Court order Defendants Whitfield, Robinson, and Bell to produce a copy of his jail file and copies of the jail's security logs from May 31, 2009 through June 30, 2009. (#267) Defendants have responded to Plaintiff's motion, stating that they have previously explained that Plaintiff's jail file is lost and cannot be produced. They further argue that the request for security logs is overly broad and not calculated to lead to admissible evidence. (#268) In addition, Defendants contend that Plaintiff's requests are duplicative.

Defendants' response has merit, and the motion (#267) is denied. However, Defendants are reminded that they must produce the lost jail file immediately, if it reappears.

IT IS SO ORDERED this 8th day of June, 2010.


UNITED STATES MAGISTRATE JUDGE