

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

**JAMES MCALPHIN,
ADC # 88328**

PLAINTIFF

v.

No. 2:13-cv-145-DPM-JJV

**N. OBI, Doctor, ADC, EARU; BALL,
Doctor, ADC, EARU; and G.
CAMPBELL, APN, ADC, EARU**

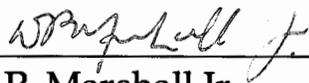
DEFENDANTS

ORDER

McAlphin's motion for reconsideration, *No* 49, is granted. McAlphin filed his addendum, *No* 45, after the Court had adopted Magistrate Judge Volpe's recommendation. The Court will therefore revisit the matter. In his motion for a temporary restraining order and preliminary injunction, *No* 2, McAlphin asked that Defendants set up a follow-up visit for him with a cardiologist, provide him with pain medication, and readminister a holter monitor test. *No* 2 & 3. The Defendants say, and the Court agrees, that since McAlphin filed his motion in October 2013, he has been seen by a cardiologist, has received a holter monitor test, and has been prescribed pain medicine. The medical records that McAlphin provides in his addendum show the

results of his completed holter monitor test, *No 45 at 3-16*, and document his follow-up visit with a cardiologist, *No 45 at 17-19*. McAlphin's new requests that a sleep apnea test be conducted and that he be housed in temperatures less than eighty degrees, *No 49 at 3*, are beyond the scope of his original motion. They should be raised in a separate motion if McAlphin still seeks relief.

So Ordered.



D.P. Marshall Jr.
United States District Judge



28 July 2014