

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

ANTWAN TATUM
ADC #143961

PLAINTIFF

V.

2:13CV00151 DPM/JTR

MITCHELL, Sergeant,
East Arkansas Regional Unit, ADC, et al.

DEFENDANTS

ORDER

Plaintiff, Antwan Tatum, has filed this *pro se* action alleging that Defendants used excessive force against him, failed to protect him from harm, and failed to provide him with adequate medical care for his injuries. Plaintiff has recently filed two non-dispositive Motions, which the Court will address separately.

I. Plaintiff's Motion for Reconsideration

Plaintiff has filed a Motion asking the Court to reconsider its July 14, 2014 Order that granted in part and denied in part his Third and Fourth Motions to Compel. *Docs. 64, 70, 94, and 101*. Plaintiff has not provided a sufficient reason for the Court to reconsider its prior rulings. Thus, his Motion for Reconsideration is denied.

II. Plaintiff's Fifth Motion to Compel

On June 5, 2014, Plaintiff sent Defendants a request for production seeking copies of all prison policies that "officers are directed to follow when an inmate has

been injured in his cell." *Doc. 82 at 1*. Defendants answered by stating that the request was over broad and burdensome. *Doc. 98 at 4*. They then explained to Plaintiff that he could review all prison policies in the prison law library, and request copies of any of policies he believed to be relevant to his claims. *Id.* After doing so, Plaintiff asked the Ouachita River Unit ("ORU") Program Coordinator for copies of ORU policies 3.7.0, 4.1.0, 10.5.0, 2.5.0, and 9.1.0 - 9.31.0. *Id. at 3*. The ORU Program Coordinator denied Plaintiff's request because unspecified "security and control issues" prevented prisoners from having copies of those policies. *Id.*

Plaintiff then filed the current Motion to Compel asking the Court to require Defendants to produce copies of those policies. *Doc. 96*. In their response to that Motion, Defendants erroneously state that Plaintiff: (1) has not made any "specific requests for policies"; and (2) can obtain copies of the policies from the prison library. *Doc. 100 at 1*. Additionally, Defendants state that "if Plaintiff has difficulty acquiring a specific document, the ADC Defendants have agreed to provide a copy to him." *Id.*

As previously explained, Plaintiff has been unable to obtain copies of the policies from the ORU library. Thus, Defendants must, within fourteen days of this Order, either: (1) provide Plaintiff with copies of ORU policies 3.7.0, 4.1.0, 10.5.0, 2.5.0, and 9.1.0 - 9.31.0; or (2) file a Supplemental Response that contains **sealed**

copies of those policies and a detailed explanation of the specific security issues that prevent them from providing copies of those policies, or portions thereof, to Plaintiff.

III. Conclusion

IT IS THEREFORE ORDERED THAT:

1. Plaintiff's Motion for Reconsideration (*Doc. 101*) is DENIED.
2. Plaintiff's Fifth Motion to Compel (*Doc. 96*) is GRANTED IN PART.
3. Defendants must comply with the instructions in this Order **on or before**

September 2, 2014.

Dated this 18th day of August, 2014.


UNITED STATES MAGISTRATE JUDGE