

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

**ANTWAN TATUM,
ADC # 143961**

PLAINTIFF

v.

No. 2:13-cv-151-DPM-JTR

**MITCHELL, Sergeant, EARU, ADC;
BRYANT PHILLIPS, Officer, EARU,
ADC; BROOKS, Lieutenant, EARU,
ADC; and MICHAEL T. HUMPHREY,
Shift Supervisor, EARU, ADC**

DEFENDANTS

ORDER

In this *pro se* § 1983 action, Tatum alleges that defendants used excessive force on him and were deliberately indifferent to his medical needs. Tatum has filed two motions asking the Court to compel Phillips and Humphrey to provide him with certain information and documents. The Court takes each request in order.

First motion to compel, *No* 64:

- **Request for production 1.** Tatum requests all recorded statements regarding the alleged assault on him. This request is overly broad and would pose a danger to witnesses who may have made statements. This portion of his motion is denied.

- **Request for production 2.** Tatum requests documentation relating to the Internal Affairs investigation of the incident at issue. The Court directs Defendants to allow Tatum to view or listen to documents relating to their investigation of the incident. Defendants may redact portions of the documents to protect the privacy and safety of inmates, employees, and others. This portion of the motion is granted as modified.
- **Request for production 3.** The Court directs Defendants to provide Tatum with a copy of the photograph of his black eye, if one exists. This portion of the motion is granted.
- **Request for production 4.** Defendants have agreed to allow Tatum to obtain copies of all ADC policies by visiting his unit's library. This portion of the motion is granted by agreement.
- **Request for production 5.** Tatum requests personnel information about an ADC employee. Defendants object. The Court agrees with Defendants. This portion of the motion is denied.
- **Request for production 6.** Tatum requests his entire medical file. Defendants have agreed to allow Tatum to view his medical file by submitting a request at his unit. The Court finds this sufficient. This portion of the motion is granted by agreement.

Second motion to compel, *No* 70:

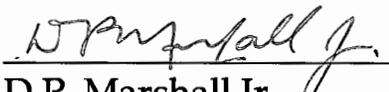
- **Personal information about ADC employees.** Tatum requests the names and contact information of ADC employees. Defendants object saying the release of this information would jeopardize the privacy and safety of its employees. The Court agrees. This portion of the discovery request is denied.
- **ADC policies.** Tatum requests the ADC's policies for inmates who are assaulted. Defendants will allow Tatum to obtain copies of all ADC policies by visiting his unit's library. This portion of the motion is granted by agreement.
- **Phillips's work schedule.** Tatum requests Phillips's work schedule and duties on 26 November 2010. Phillips objects. The Court orders Phillips to respond to Tatum's request in the form of a written answer. When did Phillips work on 26 November 2010? And what were his duties that day? This portion of the motion is granted as modified.
- **Humphrey's work schedule.** Tatum requests Humphrey's work schedule for November and December 2010. Defendants say that Humphrey was not working the shift when the incident occurred. This answer is sufficient. This portion of the motion is denied.

- **Video surveillance.** Tatum requests the video surveillance footage from the morning of 26 November 2010 for Max Unit 6, Cell 11. Defendants object to giving Tatum a copy of the video, but have agreed to preserve any video footage for trial. The Court directs Defendants to do so and make arrangements for Tatum to view the video footage. This portion of the motion is granted as modified.

* * *

Motions, No 64 & 70, granted in part and denied in part.

So Ordered.



D.P. Marshall Jr.
United States District Judge



14 July 2014