

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
JONESBORO DIVISION**

STEVEN MARQUELL DESHUN ALLEN

PLAINTIFF

V.

3:15CV00248 BSM/JTR

LAWRENCE, Sergeant,
Craighead County Detention Center, et al.

DEFENDANTS

ORDER

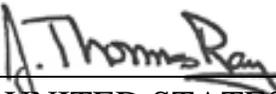
On February 3, 2016, the Court held an Evidentiary Hearing to develop the facts surrounding the Craighead County Detention Center's failure to preserve a video recording of the August 10, 2015 use of force incident that is the subject of this lawsuit. Consistent with the Findings of Fact and Conclusions of Law announced from the bench, the Court concludes: (1) there is no basis for imposing sanctions, pursuant to Fed. R. Civ. P. 37(e), for the failure to preserve the video recording; and (2) the decision not to preserve the video of the incident did not constitute spoliation.

At the conclusion of the Evidentiary Hearing, Plaintiff executed a medical authorization form allowing separate Defendant Sergeant Lawrence to obtain copies of Plaintiff's medical records. Accordingly, Defendant Sergeant Lawrence's Motion to Compel (*Doc. 49*) seeking a Court Order requiring Plaintiff to execute medical

authorization forms is DISMISSED AS MOOT.

Finally, Plaintiff also agreed, on the record, to execute a medical authorization form to allow counsel for the other Defendants to obtain copies of Plaintiff's medical records.

IT IS SO ORDERED THIS 4th day of February, 2016.



UNITED STATES MAGISTRATE JUDGE