

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

HAMIS A-A-M ALSHARKI

PLAIN
TIFF

REG. #25438-009

V.

NO: 4:10CV01450 HDY

BARRON DIXSON *et al.*

DEFENDANTS

ORDER

In response to the Court's order of March 3, 2011 (docket entry #32) and in anticipation of the Court trial scheduled for May 23, 2011, at 11:00 a.m. in Room #2B of the Richard Sheppard Arnold United States Courthouse in Little Rock, Arkansas; Plaintiff has submitted a proposed witness list (docket entry #35). In addition to himself, Plaintiff has requested as witnesses Pulaski County Deputies Debra Dillard and Charles Patillo, and Michael Jackson and Andrea Rowe, both of whom were held with Plaintiff at the Pulaski County Detention Center when the events at issue in the complaint occurred. In response (docket entry #38), Defendants have agreed to ensure the hearing attendance of Dillard and Patillo, but state that Plaintiff, Jackson, and Rowe, are no longer in the custody of the Pulaski County Sheriff, and that they therefore cannot make them available at the trial.

After careful consideration, the Court concludes that Plaintiff should be allowed as witnesses Dillard, Patillo, and Jackson, who is incarcerated at the Arkansas Department of Correction. It appears that Rowe may not have witnessed the events at issue in the complaint, or at best, can only offer testimony that is the cumulative to that of Jackson, and Rowe will therefore not be allowed as

a witness.

IT IS THEREFORE ORDERED THAT:

1. Plaintiff will be allowed to testify on his own behalf at the hearing.
2. Plaintiff is allowed as witnesses Debra Dillard, Charles Patillo, and Michael Jackson.
3. Defendants are directed to ensure the trial attendance of Debra Dillard and Charles Patillo, and to bring Plaintiff's institutional and medical records to the trial.
4. The Arkansas Department of Correction is directed to ensure the trial attendance of Michael Jackson, ADC #88412.

DATED this 9 day of May, 2011.



UNITED STATES MAGISTRATE JUDGE