

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

BILLY N. CULBERTSON,
ADC #076385

PLAINTIFF

v.

4:10-cv-01464-SWW-JTK

JIM ROBERSON, et al.

DEFENDANTS

ORDER

In response to the Court's Order of April 28, 2011 (Doc. No. 36), and in anticipation of the Evidentiary Hearing scheduled for 9:30 a.m., August 9, 2011, at the Richard Sheppard Arnold United States Courthouse, 600 West Capitol, Courtroom 4B, Little Rock, Arkansas, the Plaintiff has submitted a witness list requesting twenty-one witnesses (Doc. No. 42).

Having reviewed Plaintiff's request in light of the single remaining issue of over-medication, the Court will allow the following requested witnesses:

1. Anthony Mahoney, ADC 139513
2. Ronnie Long
3. David Hankins
4. John Barta
5. Shirly Culbertsen
6. Dr. Richard Flanagan
7. Lt. Kerleasa
8. Jackie Deuerling
9. Samantha Campbell

The remaining witnesses will not be allowed because their proposed testimony is duplicative of the testimony anticipated to be offered by the above-named witnesses. Accordingly,

IT IS, THEREFORE, ORDERED that the Arkansas Department of Correction (ADC) shall ensure the attendance of the Plaintiff Billy Culbertson (ADC #076385), and inmate Anthony Mahoney (ADC #139513) at the August 9, 2011 Hearing, together with a copy of Plaintiff's medical records and institutional file.

The Defendants shall ensure the attendance of the following witnesses at the August 9, 2011 Hearing: Ronnie Long, David Hankins, John Barta, Lt. Kerleasa, and Samantha Campbell.

The Clerk of the Court is hereby directed to issue subpoenas directing the appearance of the following witnesses at the August 9, 2011 hearing, at 9:30 a.m., Richard Sheppard Arnold United States District Court, 600 W. Capitol, Court Room 4B, Little Rock, Arkansas 72201:

Shirly Culbertson, 15303 Highway 165, Scott, AR 72142-9359,

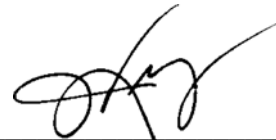
Jackie Deuerling, 1210 Ruby Drive, Redfield, AR 72132, and

Dr. Richard Flanagan, 4354 Stockton Dr., N. Little Rock, AR 72231-6533.

The United States Marshal is hereby directed to serve the subpoenas without pre-payment of fees and costs or security therefore.

The Clerk of the Court is directed to forward a copy of this Order to the Arkansas Department of Correction Central Transportation/Medical Services, 7203 West 7th Street, Pine Bluff, AR 71603.

IT IS SO ORDERED this 28th day of July, 2011.



JEROME T. KEARNEY
UNITED STATES MAGISTRATE JUDGE