

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

JAMES D. HORTON, III  
ADC #655091

PLAINTIFF

V.

NO: 4:11CV00358 BRW/HDY

C. CHANEY *et al.*

DEFENDANTS

**ORDER**

Plaintiff filed this complaint on April 26, 2011, alleging that he was subjected to excessive force by Defendants C. Chaney and M. Harron of the England Police Department. On October 12, 2011, Plaintiff filed a motion for an order seeking the appointment of a special master to inspect the England Police Department Jail (docket entry #52), and a motion for a state or federal audit, alleging poor conditions at the jail and seeking a report of various jail financial matters (docket entry #53). This lawsuit concerns allegedly excessive force by Chaney and Harron. Neither the jail conditions, nor its financial operations, are relevant to the claims Plaintiff has made. To the extent that such matters may impact Plaintiff's lawsuit, there is no reason they cannot be explored in the normal course of litigation.

Plaintiff also filed what has been docketed as a motion to compel (docket entry #55), that appears to be in essence a discovery request. Although the motion will be denied, Defendants should respond to the discovery requests pursuant to the Federal Rules of Civil Procedure.

IT IS THEREFORE ORDERED THAT Plaintiff's motions for a special master, for an audit, and to compel (docket entries #52, #53, & #55), are DENIED.

DATED this 13 day of October, 2011.



UNITED STATES MAGISTRATE JUDGE