

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

ACIE CUMMINS,
ADC #133791

PLAINTIFF

v.

5:11-cv-00048-JTK

RAY HOBBS, et al.

DEFENDANTS

ORDER

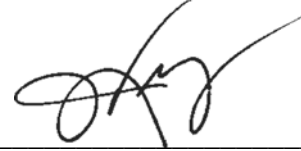
In response to the Court's Order of February 22, 2012 (Doc. No. 47), and in anticipation of the Evidentiary Hearing scheduled for 9:30 a.m., April 16, 2011, at the Richard Sheppard Arnold United States Courthouse, 600 West Capitol, Courtroom 4B, Little Rock, Arkansas, the Plaintiff submitted a witness list requesting two witnesses (Doc. No. 49). However, because Plaintiff did not include a summary of the expected testimony of the two witnesses (CO-1 B. Miller and Nurse Watts), the Court ordered him to supplement his list with such a summary (Doc. No. 50). Plaintiff did not file a timely response. Defendants filed a Response to his request, stating that they would ensure the attendance of both the Plaintiff and requested witness Beverly Miller (Doc. No. 52). Defendants stated that they could not ensure the presence of requested witness Nurse Amanda Watt, because she is not an employee of the Defendants. Id.

Having reviewed Plaintiff's request and the Defendants' Response, the Court will allow requested witness Beverly Miller, but will disallow requested witness Nurse Amanda Watt, due to Plaintiff's failure to respond to the Court's Order requesting a summary of her testimony. Accordingly,

IT IS, THEREFORE, ORDERED that the Arkansas Department of Correction (ADC) shall ensure the attendance of CO-1 Beverly Miller and Plaintiff Acie Cummins, together with his medical and institutional files, at the April 16, 2012 Hearing.

The Clerk of the Court is directed to forward a copy of this Order to the Arkansas Department of Correction Central Transportation/Medical Services, 6814 Princeton Pike, Pine Bluff, AR 71602.

IT IS SO ORDERED this 10th day of April, 2012.



JEROME T. KEARNEY
UNITED STATES MAGISTRATE JUDGE