

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

DWAYNE E. JOHNSON,
ADC #152640

PLAINTIFF

v.

No. 5:12-cv-131-DPM-JTR

ED ADAMS, Captain,
Brassell Detention Center

DEFENDANT

ORDER

1. Inmate Dwayne E. Johnson has filed a motion arguing that he is entitled to judgment on the pleadings. Johnson has not clearly established that there are no material issues of fact and that he is entitled to judgment, as a matter of law, on the constitutional claims he has raised against Defendant Ed Adams. FED. R. CIV. P. 12(c); *Porous Media Corp. v. Pall Corp.*, 186 F.3d 1077, 1079 (8th Cir. 1999). The motion is denied.

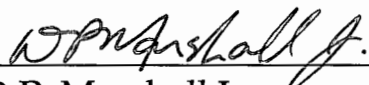
2. It appears that Johnson is asking for a judgment in his favor as a sanction for Adams not responding to his discovery request seeking unspecified surveillance materials. As previously explained to Johnson (*Document Nos. 25 and 26*), the proper way to resolve the matter is to mail specific discovery requests *directly* to Adams's attorney. If Adams does not

properly respond to his specific discovery requests, Johnson may then file a supported motion to compel. See FED. R. CIV. P. 37; Local Rule 7.2(g).

* * *

Johnson's motion for judgment on the pleadings, *Document No. 33*, is denied. The Court certifies that an *in forma pauperis* appeal from this Order would not be taken in good faith. 28 U.S.C. § 1915(a)(3).

So Ordered.



D.P. Marshall Jr.
United States District Judge

17 October 2012