

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

CLAYTON MATHEW JACKSON,
ADC #654264

PLAINTIFF

v.

5:12-cv-00163-BSM-JTK

MARK WARNER, et al.

DEFENDANTS

ORDER

This matter is before the Court on Plaintiff's Motion to Compel (Doc. No. 42). Defendants filed a Response in opposition to the Motion (Doc. No. 51).

In his Motion, Plaintiff states that Defendants failed to provide him with copies of his mental health records, and later improperly denied his request to review his records and make notes due to the absence of a court order. He also asks the Court to order Defendants to provide him with documents regarding his housing assignment and classification committee appearances.

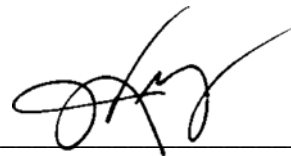
In their Response, Defendants state the that risks involving safety and security, in addition to Plaintiff's privacy rights, govern the ADC policy of prohibiting inmates from possession of any health records in the unit. They state that Plaintiff may review his records and make notes after submitting a written request and scheduling an appointment. They provide documents which show that Plaintiff did not follow this procedure when he previously requested to review his records, and that a Court order is not needed as long as he makes a written request and schedules an appointment to review the records (Doc. No. 51-3, pp. 1-3). With respect to Plaintiff's second request, for housing and classification committee documents, Defendants state that Plaintiff's request is overly broad and fails to contain any time period designation. Despite this objection, they state they provided him documents relating to the time period of his complaint, and instructed him that he could subsequently request additional documents by identifying them by name or specific

description.

Having reviewed Plaintiff's Motion and Defendants' Response, together with the attached documents, the Court finds Plaintiff's Motion should be denied. Defendants' medical records policy is supported by security and privacy concerns, and they assure that Plaintiff will be allowed to review his records and take notes, after following the proper request and appointment procedures. In addition, the Court agrees that Plaintiff's request for housing and classification committee documents is overly broad and that he may resubmit a more narrowly-tailored request to Defendants. Accordingly,

IT IS, THEREFORE, ORDERED that Plaintiff's Motion to Compel (Doc. No. 42) is DENIED.

IT IS SO ORDERED this 11th day of October, 2012.



JEROME T. KEARNEY
UNITED STATES MAGISTRATE JUDGE