

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FORT SMITH DIVISION

MARCUS WAYNE FIELDS

PLAINTIFF

v.

Civil No. 11-2189

RANDELL REED, Bailiff, Sebastian
County Sheriff's Office; DR. WILLIAM
HAYES; NURSE CHERYL McMAHAN;
and NURSE ASHLEY TURNER

DEFENDANTS

ORDER

Pending before me for decision are Plaintiff's motion to compel (Doc. 62) and his motion for medical records (Doc. 63). In his motion to compel, Plaintiff asserts that the medical records custodian failed to comply with the Court's order of December 26, 2012, which directed the medical records custodian to provide a copy of Plaintiff's medical records from 2011 to the present. The subpoena encompassed all medical records without regard to the unit of incarceration.

The motion (Doc. 62) is denied. The records custodian did respond to the subpoena and a copy of those records were provided to the Plaintiff. However, the Court will provide Plaintiff with another copy of the records. Plaintiff is asked to acknowledge his receipt of these documents.

In the motion for medical records (Doc. 63), Plaintiff asks that the medical records custodian be asked to produce his medical records from the Varner Unit also. The motion (Doc. 63) is granted. The Court will issue a subpoena asking for all medical records from December 26, 2012, to the present. Accordingly, **the Clerk is directed to issue a subpoena to the Medical Records Custodian:** Corizon Medical Records, Attention Lorene Clairborne, ADC Administration Building,

6318 Princeton Pike Rd., Pine Bluff, AR 71602. The subpoena should require the production of the following:

all records, whether print or electronic, regarding the care, treatment, and diagnosis of Marcus Wayne Fields, ADC #150118, from December 26, 2012, to the present.

The subpoena should be served by certified mail, return receipt requested. The records shall be produced by **December 2, 2013**, with an affidavit from the records keeper to authenticate the records. The records should be delivered to United States District Court, Western District of Arkansas, Pro Se Office, 35 E. Mountain Room 510, Fayetteville, AR 72701

IT IS SO ORDERED this 7th day of November 2013.

/s/ J. Marschewski

HON. JAMES R. MARSCHESKI
CHIEF UNITED STATES MAGISTRATE JUDGE