

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

BOBBY DWAYNE WILLIAMS

PLAINTIFF

v.

Civil No. 13-2004

SHERIFF RON BROWN

DEFENDANT

ORDER

Pending before me for decision are the following motions filed by the Plaintiff: (1) a motion of facts (Doc. 66); (2) a motion of exhibits (Doc. 67); (3) a motion to supplement the amended complaint (Doc. 68); and (4) a motion for default judgment (Doc. 71).

Motion of Facts (Doc. 66)

In this motion, Plaintiff seeks to add factual allegations about being denied a shower after court on November 11, 2013. The motion (Doc. 66) is denied. Plaintiff has been granted leave to amend his complaint twice and to file a supplemental complaint. Additionally, Plaintiff has filed numerous supplements to the complaints. At this stage of the case, he cannot continually add factual allegations or claims to this case.

Motion of Exhibits (Doc. 67)

Plaintiff seeks to submit as an exhibit a newspaper article regarding a July 11, 2013, inspection of the jail. The motion (Doc. 67) is denied. Plaintiff may not simply file exhibits. Instead, exhibits may be filed in support of a pleading such as his response to the summary judgment motion or at a hearing. The Court will review the exhibit in connection to Plaintiff's response to the summary judgment motion.

Motion to Supplement the Complaint (Doc. 68)

Here, Plaintiff seeks to add factual allegations regarding overcrowding. The motion (Doc. 68) is denied. As noted above, Plaintiff has amended and supplemented the complaint on numerous occasions. He cannot continue to add claims to this case. Plaintiff did not mention overcrowding in his prior pleadings. There is a pending summary judgment motion. No further amendments will be allowed. If Plaintiff wants to assert additional claims, he will need to do so in a separate lawsuit.

Motion for Default Judgment (Doc. 71)

Plaintiff seeks to have Defendant sanctioned because the Arkansas Department of Health has allegedly failed to respond to a subpoena issued by the Court. The Defendant was not directed to do anything in connection with this subpoena. The motion for default (Doc. 71) is denied. Furthermore, the Court received the Arkansas Department of Health's response to the subpoena on November 12th and copies of the response were sent to Plaintiff and Defendant. Another copy will be mailed to Plaintiff.

IT IS SO ORDERED this 29th day of January 2014.

/s/ J. Marschewski

HON. JAMES R. MARSCHEWSKI
CHIEF UNITED STATES MAGISTRATE JUDGE