

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
HARRISON DIVISION

TAMMY CHRISTINE HANSON

PLAINTIFF

v.

Civil No. 10-3022

BAXTER COUNTY, ARKANSAS;  
SHERIFF JOHN MONTGOMERY;  
CHIEF DEPUTY JEFF LEWIS;  
LIEUTENANT RANDALL WEAVER;  
SARGENT EDWARD ELLIOTT;  
CORPORAL LINDA HENRYK;  
DR. JOSEPH TULLIS; DEPUTY WILTON  
"CHIP" NORRIS; JAILER HELEN FENWICK;  
JAILER TONY BECK; JAILER WILLIAM  
ALTRAZAN; JAILER HEATHER EASTER;  
JAILER GARNETT McMAHON; JAILER  
SHERRY LEWIS; JAILER PATRICK GAULT;  
JAILER JAMES TUDOR; JAILER SONYA OLNAY;  
and JAILER TONY BECK

DEFENDANTS

**AMENDED ORDER**

Plaintiff has filed a motion asking the Court to appoint expert medical witnesses (Doc. 111) in the medical specialities of endocrinology, gynecology, urology, and nutritional medicine. Separate Defendant Dr. Tullis has filed a response (Doc. 113) opposing the appointment of medical experts.

The Court has discretion to grant an application for the appointment of an expert witness. *United States v. Schultz*, 431 F.2d 907, 910 (8th Cir. 1970). "The court's power to call witnesses is crucial to prevent impairment of the fact-finding process." *United States Marshals Service v. Means*, 741 F.2d 1053, 1058 (8th Cir. 1984).

In this case, an evidentiary hearing is being held on February 21st. The hearing is to determine whether there are any issues triable to a jury. One issue is whether the Plaintiff was denied adequate medicare. The Court believes Plaintiff will be able, without a court appointed expert, to present her claim against Dr. Tullis. She has her own medical records which should

include the type of treatment regimen she was on prior to incarceration. Through these records and her own testimony, Plaintiff will be able to present her claim against Dr. Tullis. The motion (Doc. 111) is denied.

In the motion (Doc. 111), Plaintiff states her treating physicians are unavailable to provide testimony for her. If Plaintiff has any local treating physicians, she should so advise the Court and it will consider issuing subpoenas for these individuals.

IT IS SO ORDERED this 7th day of February 2012.

*/s/ J. Marschewski*  
\_\_\_\_\_  
HON. JAMES R. MARSCHEWSKI  
CHIEF UNITED STATES MAGISTRATE JUDGE