

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 JOHN DOE DEPUTY SHERIFF OF BAXTER,
COUNTY, ARKANSAS

DEFENDANTS

ORDER

Pending before the court are the following motions filed by the plaintiff: (1) a motion for library access (Doc. 22); (2) a motion for emergency relief (Doc. 27); (3) a motion for a hearing (Doc. 28); and (4) a motion for emergency relief (Doc. 32). The motions will be addressed in turn.

Motion for Library Access (Doc. 22)

In the motion, plaintiff states that prior to her filing this case she was allowed two hours per week of legal research time utilizing a laptop and Lois Law. Once defendants determined she was researching her § 1983 lawsuit, she maintains defendants terminated her legal research time.

Defendants responded to the motion arguing it should be denied (Doc. 23 and Doc. 24). However, defendants do not refute plaintiff's allegation that her access to legal research was terminated when she filed this suit.

The motion (Doc. 22) is granted. Defendants obviously have a means of allowing *pro se* plaintiffs access to legal research materials. Defendants are directed to again provide the plaintiff with access to the laptop and Lois Law for a minimum of two hours per week.

Motion for Emergency Relief (Doc. 27)

In this motion, plaintiff seeks a court order requiring defendants to provide her with a carbohydrate restricted diet in view of her diabetes and because of an additional health condition known as interstitial cystitis. She indicates her urologist provided her with a list of foods and beverages she should be consuming. She states she has been refused the services of, or evaluation by, a registered or certified dietician. She asserts she is malnourished and suffers from vitamin deficiencies due to the diet she receives.

Defendants have responded to the motion (Doc. 30 and Doc. 31). They maintain plaintiff has failed to establish she is entitled to the relief sought.

Plaintiff has provided no documentation indicating she requires a diet different from the one she is currently being furnished. She has submitted nothing to show she requested and was refused a diabetic diet or that defendants have refused to comply with a doctor's order directing that she be provided with a specified diet. The motion (Doc. 27) is denied.

Motion for a Hearing (Doc. 28)

Plaintiff requests a hearing on her motion for emergency relief (Doc. 27). The motion for a hearing (Doc. 28) is denied as moot.

Motion for Emergency Relief (Doc. 32)

In this motion, plaintiff states she has been incarcerated at the Baxter County Detention Center since September 25, 2009. During this time, plaintiff asserts she has been continually denied medical evaluation and treatment for various medical conditions she suffers from. She indicates that she needs to see a gynecologist because of a lump in her breast and persistent vaginal and abdominal pain possibly related to her documented history of ovarian tumors. She indicates she had an appointment with a gynecologist scheduled for June 10, 2009, but the day before, the appointment was canceled by Defendant Montgomery.

The motion (Doc. 32) is denied. There is nothing to suggest plaintiff is not being seen by the facilities' doctor. Clearly she does not believe the care she is receiving is adequate. However, this is insufficient to require emergency relief from the court.

IT IS SO ORDERED this 12th day of July 2010.

/s/ J. Marschewski

HON. JAMES R. MARSCHEWSKI
CHIEF UNITED STATES MAGISTRATE JUDGE