

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

LAVELL GREEN

PLAINTIFF

V.

CIVIL NO. 4:12-cv-04037

SHERIFF JAMES SINGLETON;
JOHNNY GODBOLT; SGT.
VERONICA MAULDIN;
SIMON AMES; KATHY
FINCHER; and PIERRE SUMMERVILLE

DEFENDANTS

ORDER

Plaintiff Lavell Green proceeds in this action *pro se* and *in forma pauperis* pursuant to 42 U.S.C. § 1983. Plaintiff is currently incarcerated in the Arkansas Department of Corrections, Cummins Unit in Grady, Arkansas (“ADC”). Currently before the Court is Plaintiff’s Motion in Limine. ECF No. 25.

In Plaintiff’s Motion in Limine, he requests the Court exclude from evidence Incident Reports from the Hempstead County Detention Center (“HCDC”), where Plaintiff was housed during the time at issue in this case, because such evidence is irrelevant to this case and “is less likely to help get at the truth than it is to prejudice the jury against the Plaintiff.” ECF No. 25.

The Court notes that there is currently no evidentiary hearing or trial set in this matter. Further, there is a pending Motion for Summary Judgment which may negate any necessity for an evidentiary hearing or trial in this matter. Lastly, there is no jury demand in this matter, therefore, any trial will be a bench trial and no jury will be present to be prejudiced.

Accordingly, Plaintiff’s Motion in Limine (ECF No. 25) is **DENIED** at this time. If, after the Court rules on the pending Motion for Summary Judgment, this matter is set for

evidentiary hearing or trial the Plaintiff may re-urge his arguments in the form of an objection to the evidence at issue here.

IT IS SO ORDERED this **25th day of November 2013**.

/s/ Barry A. Bryant
HON. BARRY A. BRYANT
UNITED STATES MAGISTRATE JUDGE