

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

LOUIS EDWARD RICHARD

PLAINTIFF

V.

CIVIL NO. 4:14-cv-04027

JANA TALLANT

DEFENDANTS

WITNESS ORDER

This is a civil rights action filed *pro se* by the Plaintiff, Louis Richard, pursuant to 42 U.S.C. § 1983. Plaintiff is currently incarcerated at the Arkansas Department of Correction Varner Unit (“ADC”). This matter is set for trial on Friday, May 13, 2016. Plaintiff submitted a witness list to the Court on February 10, 2016. ECF No. 51.

Because Plaintiff proceeds *in forma pauperis*, the Court will issue and serve all writs and subpoenas for Plaintiff's trial witnesses that it deems appropriate. Plaintiff requests the Court to subpoena the following witnesses: Jana Tallant (Defendant), Bryan McJunkins (Sheriff Howard County), Tara Green (jail employee), Tammy Arnold (jail employee), Shelbi Miller (jail employee), Sean Scott (jail employee), Andre Jones (jail employee), DaWanda Schwoop (jail employee), Brian Cook (jail employee), Misty Young (jail employee), Willie Munn (ADC inmate), Irene Hendrix (Plaintiff's mother), and Nurse Gray (Head nurse at Varner Unit). Plaintiff also requested the Court to subpoena his medical records from the Arkansas Department of Correction Varner Unit.

The Court will not subpoena Jana Tallant because she is the Defendant and will be present at trial.

The Court will not subpoena Sheriff Bryan McJunkins, Tara Green, Tammy Arnold, Shelbi Miller, Sean Scott, Andre Jones, DaWanda Schwoop, Brian Cook, and Misty Young. All of these

witnesses are employees or former employees of Howard County Detention Center. For this reason the Court requests the Defendant to produce Sheriff Bryan McJunkins, Tara Green, Tammy Arnold, Shelbi Miller, Sean Scott, Andre Jones, DaWanda Schwoop, Brian Cook, and Misty Young, without the issuance of a subpoena. If Defendant is unable to produce any of these persons, she is asked to notify the Court and file under seal each witness's last known address and phone number no later than **Friday, April 1, 2016**.

The Court will not subpoena Willie Munn because the expected testimony is not related to the issue before the Court.

The Court will not subpoena Plaintiff's mother, Irene Hendrix, but she may appear voluntarily at the trial and testify on Plaintiff's behalf. The Court will send Irene Hendrix a letter informing her of the date and time of the trial and indicating she may appear to testify if she wishes to do so.

The Court will not subpoena Nurse Gray because the expected testimony is not related to the issue before the Court.

The Court will issue a subpoena for Plaintiff's medical records from the Arkansas Department of Correction Varner Unit by separate order.

IT IS SO ORDERED this 3rd day of March 2016.

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