

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

ANTHONY FERRAIUOLO

PLAINTIFF

v.

Civil No. 4:14-cv-04066

RON STOVALL; WARDEN BRAZELL;  
CAPTAIN MORGAN; LIEUTENANT ADAMS  
SERGEANT PEEKS; CORPORAL SANDERS;  
CORPORAL STURDEUANT; OFFICER EVERETT;  
SERGEANT MOON

DEFENDANTS

**ORDER**

Plaintiff Anthony Ferraiulolo originally submitted this *pro se* action for filing on April 24, 2014. Currently before the Court is Plaintiff's Motion to Preserve Video Evidence. ECF No. 5.

In this Motion, Plaintiff requests the Court order Miller County Detention Center ("MCDC") to "save all recorded audio/video from inside the Facility from December 10th 2013 thru now." ECF No. 5. Plaintiff alleges there are multiple scenes on this video that will support his claims of excessive force. Plaintiff also states that he believes MCDC will destroy this footage if not ordered to preserve by the Court.

Defendants have not yet been served or answered Plaintiff's Complaint. Therefore, the Court finds Plaintiff's request premature and his Motion to Preserve Video Evidence is hereby **DENIED**. Once Defendants Answer or file another responsive pleading, Plaintiff may reurge this motion. Plaintiff is advised that in doing so he must include specific information as to the video he believes contains evidences such as the dates, times, and areas of the jail where

the alleged excessive force occurred.

**IT IS SO ORDERED this 12th day of August 2014.**

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