

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

LEE BAKER

PLAINTIFF

V.

CIVIL NO. 4:14-cv-04104

JANA TALLANT, ET AL

DEFENDANT

ORDER

This is a civil rights action filed by Plaintiff, Lee Baker, pursuant to the provisions of 42 U.S.C. § 1983 case. Plaintiff proceeds *pro se* and *in forma pauperis*. This matter is set for a bench trial on August 22, 2016 in Texarkana, Arkansas. Currently before the Court is Plaintiff's Motion to Correspond with Inmates (ECF No. 48) and Plaintiff's Proposed Witness List. ECF No. 51.

Plaintiff is currently incarcerated in the Arkansas Department of Correction ("ADC") – Ouachita River Unit in Malvern, Arkansas. In his Motion Plaintiff asks the Court to allow him to correspond with his proposed witnesses who are also inmates incarcerated at ADC. Plaintiff also requests the Court's assistance in taking depositions of his witnesses. ECF No. 48.

ADC policy prohibits correspondence between inmates. In addition, Federal Rule of Civil Procedure 26 (b)(2)(C) gives a court the ability to limit discovery if the information requested is unreasonably cumulative or duplicative. Based on my review of Plaintiff's proposed witness list and a description of the expected testimony, I see no compelling reason to allow Plaintiff to correspond with the inmates or take their depositions prior to trial. No additional information will be discovered by permitting Plaintiff to discuss his case with the inmates who have knowledge of the incidents in question.

Plaintiff also submitted his proposed witness list to the Court on May 16, 2016. ECF No. 51. He identified a total of six witnesses all of whom are incarcerated. A description of the testimony of each witness is duplicative. Plaintiff is directed to review his witness list and choose two to three individuals to testify at trial. Upon receipt of the revised witness list the Court will review it and issue writs as necessary.

Accordingly, Plaintiff's Motion to Correspond with Inmates (ECF No. 48) is **DENIED**.
Plaintiff is ordered to submit a revised witness list by June 30, 2016.

DATED this 8th day of June 2016.

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