

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

TODD H. MERCER

PLAINTIFF

v.

Civil No. 4:15-cv-04052

SHERIFF DANNY MARTIN,
Nevada County, Arkansas;
JAILER PATRICIA FRANKLIN;
and CHIEF DEPUTY MILLER

DEFENDANTS

ORDER

Pending before me is a Motion to Subpoena Documents (ECF No. 13) filed by the Plaintiff. Plaintiff initially seeks production of a log sheet and video footage from the Defendants. Defendants are instructed to treat this as a request for production of documents and respond in thirty days from the date of this order.

Plaintiff then seeks the production of his mental health records from the following: the United States Navy at his discharge in 1992; the Hempstead County Mental Health Unit from 2005; and Shreveport Behavioral Health from 2011-2012.

The Motion (ECF No. 13) is **GRANTED in part and DENIED in part**. The Court will not issue subpoenas for documents from 1992 and 2005. These documents are too far removed in time from the time frame at issue in this case--July 31, 2014, to August 6, 2014. The Court will, however, issue a subpoena for the Plaintiff's records from Shreveport.

The Clerk is directed to issue a subpoena to the Medical Records Custodian for Shreveport Behavioral Health, 1310 N. Hearne, Shreveport, LA 71107-6516. The subpoena

should require the production of the following:

all records, dealing with the physical or mental health, whether print or electronic, regarding the care, treatment, and diagnosis of Todd H. Mercer, DOB xx/xx/1966, from January 1, 2011, to December 31, 2012.

The subpoena should be served by certified mail, return receipt requested. The records shall be produced by **October 30, 2015**, with an affidavit from the records keeper to authenticate the records. The records should be delivered to United States District Court, Western District of Arkansas, Pro Se Office, 35 E. Mountain Room 510, Fayetteville, AR 72701.

IT IS SO ORDERED this 1st day of October 2015.

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