

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

PATRICK DONZELL LEE

PLAINTIFF

v.

Civil No. 4:15-cv-04102

OFFICER PATTERSON; and
SERGEANT MILLER

DEFENDANTS

ORDER

Plaintiff Patrick Lee filed this 42 U.S.C. § 1983 action *pro se* on October 7, 2015. ECF No. 1. Currently before the Court are Plaintiff's Motions to Compel. ECF Nos. 49, 53. Defendants Patterson and Miller have filed Responses. ECF Nos. 50, 54, 55. On September 14, 2016 the Court entered an Order (ECF No. 52) directing Defendants to search for any additional documents such as in house complaints, reprimands, or disciplinary measures involving Defendant Patterson during his employment with Miller County.

In his Motion to Compel (ECF No. 53) Plaintiff insists there must be additional documents relating to Defendant Patterson's work record in his personnel file that have not been provided to him by Defendants such as video from August 13, 2015, records regarding past suits, internal affairs investigations, Crim-Star reports and incident reports. On October 12, 2016 Defendant responded to the Court's September 14, 2016 Order stating they had searched the personnel files and all other County documents again, and there were no additional documents found regarding Defendant Patterson relating to Plaintiff's requests. ECF No. 55.

Pursuant to the Federal Rules of Civil Procedure a party is obligated to produce documents within its "possession, custody, or control." Fed. R. Civ. P. 34(a)(1). Defendants have responded

to Plaintiff's requests regarding video, Crim-Star reports, and incident reports indicating they have produced to Plaintiff any such documents or videos that exist. ECF Nos. 50, 51, 54, 55. ECF Nos. 50, 51. Although Plaintiff has not previously requested information pertaining to "past suits for all cases in MCDC or internal affairs investigations" Defendants have agreed to provide Plaintiff with any information they find relating to these requests. ECF No. 54.

Accordingly, Plaintiff's Motions to Compel (ECF Nos. 49, 53) are **DENIED**.

IT IS SO ORDERED this 12th day of October 2016.

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