

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

TIMOTHES W. STANFORD

PLAINTIFF

v.

Civil No. 4:17-cv-04081

SHIFT SUPERVISOR JANA TALLANT;
SHERIFF BRIAN MCJUNKINS, Howard
County, Arkansas; and NURSE RHONDA
HOWARD, Southwest Arkansas Mental Health

DEFENDANTS

ORDER

Plaintiff Timothes W. Stanford filed his Complaint in this 42 U.S.C. § 1983 action *pro se* on September 19, 2017. (ECF No. 1). Before the Court is Plaintiff's Motion to Compel. (ECF No. 18). Defendants Bryan McJunkins and Jana Tallant have filed a Response. (ECF No. 19).

Plaintiff's Complaint alleges he was denied adequate medical care. Plaintiff's Motion to Compel asks the Court to order Defendants McJunkins and Tallant to provide him copies of grievances and access to a law library. Neither of these requests are proper for a motion to compel at this stage of the litigation. First, Plaintiff's requests do not specifically relate to the issues in this lawsuit. Second Plaintiff does not have a freestanding constitutional right to a law library. *See Bounds v. Smith*, 430 U.S. 81, 828 (1977) (appointed counsel provides the "adequate assistance from persons trained in the law" that is constitutionally required in the absence of a law library).

Plaintiff is again DIRECTED to refer to the Prison Litigation Guide for instructions on how and when to file a motion to compel.¹ If Plaintiff believes his constitutional right to access to courts is being violated by Defendants McJunkins and Tallant he may file a supplement to his Complaint.

¹ Plaintiff previously filed a motion to compel on October 13, 2017 (ECF No. 10) requesting the same relief. The Court denied that motion as premature as no defendant had filed an answer at the time. (ECF No. 11).

Accordingly, Plaintiff's Motion to Compel (ECF No. 18) is **DENIED**.

IT IS SO ORDERED this 31st day of October 2017.

/s/ Barry A. Bryant

HON. BARRY A. BRYANT

UNITED STATES MAGISTRATE JUDGE