

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HOT SPRINGS DIVISION

RANDALL THOMAS MCARTY

PLAINTIFF

v.

Civil No. 6:18-cv-06032

WARDEN NURZAHAL FAUST

DEFENDANT

ORDER

Before the Court is Plaintiff's Motion to Issue Subpoena on Non-Party and Defendant's Response to Plaintiff's Motion. (ECF No. 74 and 75). In the Motion, Plaintiff seeks the production of information concerning Defendant Faust, specifically with respect to "how many times she has been accused of retaliating against inmates and the number of times she has been discipline[d] for wrong-doing." The Defendant's Response argues that it does not maintain a database of grievances or complaints filed against employees, but rather that grievances or complaints are maintained in each inmate's file; that such material would be irrelevant to Plaintiff's case; and, that such information is not likely to lead to discoverable information.

The Court, noting that the Arkansas Department of Correction does not maintain a database of such information, and being mindful of the constraints of the Federal Rules of Evidence, finds that Plaintiff's Motion should be, and hereby is, **DENIED**.

IT IS SO ORDERED, this 4th day of October 2019.

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