

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

TYRONE BOSTICK,

Plaintiff,

v.

Case No. 6:15-cv-1533-Orl-37GJK

DEPUTY LATASHA MCGUIRE,

Defendant.

ORDER

This matter is before the Court on the following: (1) Amended Motion for Court Order Permitting Orange County Sheriff Deputies to Enter Courthouse Wearing Non-Lethal, Non-Weapon Field Gear Issued by the Orange County Sheriff's Office (Doc. 53), filed March 14, 2017; and (2) Plaintiff's Motion to Strike Witnesses and Exhibits Disclosed After Discovery Deadline (Doc. 54), filed March 14, 2017.

On March 15, 2017, the Court held a Final Pretrial Conference in this action and ruled on pending motions from the bench. (*See* Doc. 59.) This Order is entered to further memorialize such rulings. Accordingly, it is **ORDERED AND ADJUDGED** as follows:

1. Amended Motion for Court Order Permitting Orange County Sheriff Deputies to Enter Courthouse Wearing Non-Lethal, Non-Weapon Field Gear Issued by the Orange County Sheriff Office (Doc. 53) is **DENIED**.
2. Defendant is **GRANTED** leave to offer pictorial evidence of officer attire as ordered at the Final Pretrial Conference.

3. Motion for Court Order Permitting Orange County Sheriff Deputies to Enter Courthouse Wearing Non-Lethal, Non-Weapon Field Gear Issued by the Orange County Sheriff Office (Doc. 52) is **TERMINATED AS MOOT**.
4. Plaintiff's Motion to Strike Witnesses and Exhibits Disclosed After Discovery Deadline (Doc. 54) is **GRANTED IN PART AND DENIED IN PART** in accordance with the Court's ruling from the bench and as follows.
 - a. The Motion to Strike (Doc. 54) is **GRANTED IN PART** as to Karl Stephanz in that: (i) Defendant is **PRECLUDED** from calling Karl Stephanz as a witness in her defense at the trial of this matter; but (ii) subject to the Court's ruling at trial—which is reserved—Defendant is not precluded from calling Karl Stephanz for purposes of impeachment on rebuttal.
 - b. The Motion to Strike (Doc. 54) is **DENIED AS MOOT** as to the remaining record custodian witnesses identified in Paragraphs 2 and 3 of the Motion to Strike.
 - c. The Motion to Strike (Doc. 54) is **GRANTED** as to Defendant's Exhibit 22; however, Defendant is not precluded from offering into evidence at trial the booking photo that resulted from Plaintiff's arrest in August 2011.
 - d. The Motion to Strike (Doc. 54) is **GRANTED IN PART** as to the remaining exhibits identified in Paragraph 4 of the Motion to Strike in that: (i) Defendant is hereby **PRECLUDED** from offering such

exhibits into evidence in her defense at the trial of this matter; but
(ii) subject to the Court's rulings at trial—which are reserved—
Defendant is not precluded from offering such exhibits into evidence
for purposes of impeachment on rebuttal.

DONE AND ORDERED in Orlando, Florida, this 23d day of March, 2017.




ROY B. DALTON JR.
United States District Judge

Copies to:
Counsel of Record
Unrepresented Parties