

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF IDAHO

WALTER D. BALLA, et al.,

Plaintiffs,

v.

IDAHO STATE BOARD OF CORRECTION,  
et al.,

Defendants.

Case No. 1:81-CV-1165-BLW

ORDER

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To clarify the Court's earlier decision (docket no. 1333), the Court understands that the plaintiffs want to have inmates do simulations of daily living in the Medical Annex to prepare for the evidentiary hearing. As one example of the simulations they would perform, the plaintiffs would propose having an inmate in a wheelchair attempt to access certain areas to determine safety issues. The plaintiffs also want to observe Units 9 and 13 in their ordinary non-locked down status.

With regard to the request for simulations in the Medical Annex, the Court finds that security issues preclude that request. With regard to the request to observe Units 9 and 13 in their ordinary non-locked down status, the only purpose for this request that the Court can discern is to relitigate the population caps placed on Units 9 & 13. This issue is resolved, and the Court has consistently refused to expand the scope of the evidentiary hearing -- moreover, both sides agree the present caps are not being violated.

Accordingly,

NOW THEREFORE IT IS HEREBY ORDERED, that the plaintiffs' requests to allow simulations in the Medical Annex and to observe Units 9 & 13 in their non-locked down status, are DENIED.

IT IS FURTHER ORDERED, that if counsel dispute any portion of this decision they may file motions to reconsider. No further mediations with Court staff are required on the issues raised here.



DATED: December 19, 2019

A handwritten signature in black ink that reads "B. Lynn Winmill". The signature is written in a cursive style and is positioned above a horizontal line.

B. Lynn Winmill  
United States District Judge