

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

KEANDRE ARNOLD,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 1:16-cv-2992-TWP-DML
)	
D. GATES, LAWRENCE PITTS,)	
SGT. HITON,)	
)	
Defendants.)	

Entry on Pending Motions

1. The plaintiff has filed a motion for default judgment against defendant D. Gates. The Court will not enter judgment against defendant Gates at this time. However, defendant Gates is in default for the following reasons: Defendant Gates was personally served by the United States Marshal in this action on August 29, 2017. *See* dkt. 60. The Court also sent an entry and notice to defendant Gates on October 10, 2017, notifying him that he was required to appear in this action and file an answer or other responsive pleading to the complaint. *See* dkt. 66.

Defendant Gates has not yet filed an answer or appeared. He is in default. **The clerk is directed** to enter a default on the docket as to defendant Gates. The motion for default judgment, dkt. [75], is **denied**.

2. The plaintiff's motion to depose all defendants, dkt. [77], is **denied** as unnecessary. The plaintiff does not need leave of the Court to depose the defendants.

3. The plaintiff's motion for subpoena, dkt. [78], is **granted**. **The clerk is instructed** to include five (5) blank but endorsed subpoenas along with the plaintiff's copy of this entry.

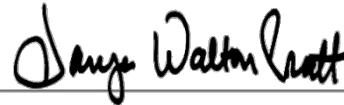
4. The plaintiff's motion for subpoena duces tucem, dkt. [79], is **denied** as this time. The plaintiff is directed to *Federal Rules of Civil Procedure* Rule 34, a copy of which is attached

to this document. If the plaintiff is unable to obtain the discoverable documents necessary to litigate this case through Rule 34, he should inform the Court.

5. The plaintiff's motion to appoint counsel, dkt. [83], is **granted** pursuant to the Entry found at docket 80.

IT IS SO ORDERED.

Date: 11/21/2017

A handwritten signature in black ink, reading "Tanya Walton Pratt", is positioned above a horizontal line.

TANYA WALTON PRATT, JUDGE
United States District Court
Southern District of Indiana

Electronic distribution to counsel of record via CM/ECF and by U.S. mail to:

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