

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

ANTHONY WALKER
(#110316)

CIVIL ACTION

VERSUS

MSGT. WILLIE WASHINGTON, ET AL

NO. 03-843-C

RULING

On April 19, 2010, this Court held a final pre-trial conference in the instant matter. During the pre-trial conference, the Court ordered the parties to file, among other things, a final will-call witness list no later than February 7, 2011. Notice to Counsel was filed into the record immediately after the pre-trial conference.¹ The Notice specifically stated that a “[f]inal will call witness list shall be filed not later than **February 7, 2011**.”²

On February 7, 2011, the Defendants complied with the order, filing proposed voir dire questions, proposed jury charges, a witness list, and a Motion in Limine. As of the date of this Ruling, Plaintiff has yet to file a will-call witness list.

District courts have discretion in selecting a sanction to impose for the disregard of its orders.³ Although this court may dismiss this action *sua sponte*,⁴

¹ Record Document No. 71, Minute Entry / Notice to Counsel.

² *Id.*


³ **Brinkmann v. Dallas Cnty. Sheriff Abner**, 813 F.2d 744, 748 (5th Cir.1987) (citing **National Hockey League v. Metropolitan Hockey Club, Inc.**, 427 U.S. 639, 96 S.Ct. 2778,

the Court feels as though a lesser sanction is warranted. Trial on the matter is scheduled to begin within one week, and Plaintiff has delayed filing its final will-call witness list for over a year. Plaintiff has violated this Court's order, and therefore, plaintiff is barred from producing any witness, other than himself, at trial.

Accordingly, for the foregoing reasons assigned,

IT IS ORDERED that Plaintiff is barred from producing any witness, other than himself, at trial.

Baton Rouge, Louisiana, this 3rd day of May, 2011.


**RALPH E. TYSON, CHIEF JUDGE
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA**

2780, 49 L.Ed.2d 747 (1976)).

⁴ **Brinkmann**, 813 F.2d 744 (affirming dismissal based on pro se litigant's failure to serve a witness list); see also **Link v. Wabash R.R. Co.**, 370 U.S. 626, 630-31, 82 S.Ct. 1386, 1388-89, 8 L.Ed.2d 734 (1962).