

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

DEMOND F. COOK (#367617)

CIVIL ACTION

VERSUS

SGT. LAMONT, ET AL.

NO. 11-0358-BAJ-CN

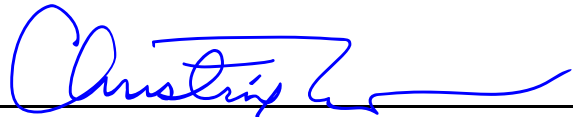
O R D E R

This matter comes before the Court on the plaintiff's Motion for Court-Appointed Expert, rec.doc.no. 42, pursuant to which the plaintiff seeks to have the Court appoint an expert, at government expense, to examine the taser device that was allegedly used against him during an incident which occurred on November 28, 2009, and to express an opinion regarding the manner in which the device was used or should have been used.

The plaintiff is not entitled to the relief requested. See Pedraza v. Jones, 71 F.3d 194 (5th Cir. 1995). If the plaintiff is able to incur the expense of retaining an expert to assist him both before and during trial, he may do so. However, he will otherwise be limited to the use of his own testimony and to that of witnesses called by the defense or subpoenaed by the Court. Accordingly,

IT IS ORDERED that the plaintiff's Motion for Court-Appointed Expert, rec.doc.no. 42, be and it is hereby **DENIED**, without prejudice to the plaintiff's right to request, at such time as this matter may be scheduled for a pretrial conference, that the Court subpoena personnel employed at the prison to testify regarding their personal or institutional knowledge regarding the plaintiff's claims.

Signed in chambers in Baton Rouge, Louisiana, January 19, 2012.



MAGISTRATE JUDGE CHRISTINE NOLAND