

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA**

RONALD WILLIAMS (#403681)

CIVIL ACTION

v.

NO. 12-475-JWD-RLB

JOHN SANDERS, ET AL.

RULING AND ORDER

This matter comes before the Court on Plaintiff Ronald Williams' Motion in Limine (R. Doc. 61). Defendants John Sanders, Joshua Francois, James Morris, and Shelton Scales oppose the motion. (R. Doc. 62). Oral argument is not necessary. For the following reasons, the Plaintiffs' motion is denied.

Plaintiff objects to the following language from the Fifth Circuit's pattern jury instruction on excessive force: "In deciding whether the force used was excessive, you must give prison officials wide-ranging deference in the adoption and execution of policies and practices that in their judgment are needed to preserve internal order and discipline and to maintain internal security in the prison." Patter Jury Instructions (Civil Cases), 5th Cir. (2014), 10.7. Plaintiff claims that this language conflicts with the holding in *Hudson v. McMillian*, 503 U.S. 1, 112 S. Ct. 995 (1992).

The Court rejects Plaintiff's argument. This jury instruction is entirely consistent with the holding in *Hudson* and was actually quoted with approval by that court. *See Hudson*, 503 U.S. at 6-7. Further, this remains the rule in the Fifth Circuit in excessive force cases. *See Baldwin v. Stalder*, 137 F.3d 836, 840 (5th Cir. 1998). Plaintiff's objection has no basis.

Accordingly,

IT IS ORDERED that the Plaintiff Ronald Williams' Motion in Limine (R. Doc. 61) is **DENIED**.

Signed in Baton Rouge, Louisiana, on September 14, 2015.



**JUDGE JOHN W. deGRAVELLES
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA**