

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

| | | |
|------------------------------|---|----------------------|
| LAMON TANEAL HEMINGWAY, SR., |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | No. 1:16-cv-220-SNLJ |
| |) | |
| PAULA REED, et al., |) | |
| |) | |
| Defendants. |) | |

MEMORANDUM and ORDER

This 42 U.S.C. § 1983 matter is before the Court on plaintiff’s *pro se* motion requesting copies of certain Federal Rules of Civil Procedure and the Federal Rules of Evidence. (#45.) Plaintiff states that officials at the prison where he is incarcerated refuse to supply him with a “Special Unit Legal Request Form to request legal materials including” the Federal Rules.

The Court required defendants to respond to similar allegations by plaintiff that corrections staff had prevented him from accessing legal materials. (#34.) Defendants responded (#41). They stated that plaintiff has not stated when he was refused a Special Unit Legal Request Form, and, moreover, that obtaining materials via Special Unit Legal Request Forms is contingent on proving he has a Qualified Legal Claim. Plaintiff has been unable to verify that he has a Qualified Legal Claim because, apparently, he failed to include the case number of this case on his form. Plaintiff’s most request Qualified Legal Claim form (dated May 9, 2017) was approved on May 10, 2017 for this case.

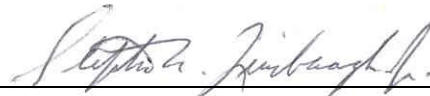
Plaintiff’s motion stating he was unable to obtain the Federal Rules was filed June 26, 2017. Thus, defendants’ suggestion that plaintiff had not properly submitted a Qualified Legal Claim form should have been remedied by that date. However, although plaintiff has provided the names of corrections staff who have refused to supply plaintiff with a Special Unit Legal

Request Form, plaintiff does not state when he was denied the Form. The Court will deny plaintiff's motion as a result. However, if plaintiff is still being denied these Forms, plaintiff should file a new motion and provide information about who denied him Special Unit Request Forms, the date, and the time, and any other information. Defendants shall then be required to respond to the motion.

Accordingly,

IT IS HEREBY ORDERED that plaintiff Lamon Taneal Hemingway, Sr.'s Motion for Federal Rules of Evidence and Civil Procedure (#45) is **DENIED**.

Dated this 14th day of July, 2017.



STEPHEN N. LIMBAUGH, JR.
UNITED STATES DISTRICT JUDGE