

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

NORMAN N. SHELTON,

:

Plaintiff

:

CIVIL ACTION NO. 3:11-0368

:

v

:

(JUDGE MANNION)

WARDEN BLEDSOE, et al.,

:

Defendants

ORDER

For the reasons set forth in the Memorandum of this date, **IT IS HEREBY**

ORDERED THAT:

1. Defendants' motion in limine to exclude evidence of previous complaints, outside of the five years agreed to by counsel, and lawsuits, including any settlements, administrative remedies, internal Bureau of Prison complaints, federal complaints or other executive agency complaints filed against them or the United States (Doc. [228](#)), will be **GRANTED**.
2. Plaintiff's motion in limine to exclude evidence of Plaintiff's alleged prison misconduct, (Doc. [230](#)), will be **GRANTED, in part**, and **DENIED, in part**. Limited testimony on these matters will be permitted, to the extent that these matters were known to the officers and informed their judgment regarding the quantum of force needed in this case. However, any use of the disciplinary records, outside of showing Defendants knowledge and how that knowledge informed their decisions regarding the use of force, is inadmissible character evidence, in violation of [Fed. R. Evid. 404\(b\)](#).

3. Plaintiff's motion in limine to exclude evidence of Plaintiff's other lawsuits, (Doc. [232](#)) is **GRANTED in part**.
4. Plaintiff's motion in limine to exclude evidence of Plaintiff's criminal convictions, (Doc. [234](#)), is **GRANTED in part**, and **DENIED in part**. Defendants may testify to their knowledge that Shelton was convicted of crimes of violence and the length of his sentences. The precise nature of these crimes shall not be disclosed to the jury; subject however, to further review at the conclusion of Shelton's trial testimony for the reasons set forth in the accompanying memorandum.
5. Plaintiff's motion in limine to exclude evidence of Plaintiff's religions, including portions of the videotape debriefing showing Plaintiff praying, (Doc. [236](#)) is **GRANTED**.
6. Plaintiff's motion in limine to exclude evidence of other administrative grievances filed by Plaintiff, (Doc. [238](#)), is **GRANTED**.
7. Plaintiff's motion in limine to exclude the video and other evidence in connection with the September 22, 2010 calculated use of force incident involving Plaintiff and his then-cellmate, Damon Johnson is **GRANTED** as unopposed, with Defendants reserving the right to use the video to the extent it may be needed for impeachment or rebuttal evidence

s/ Malachy E. Mannion
MALACHY E. MANNION
United States District Judge

Date: July 7, 2017

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