

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ARNOLD KING : CIVIL ACTION
 :
 v. :
 :
 MICHAEL BARONE, et al. : NO. 95-4170

MEMORANDUM ORDER

Presently before the court is plaintiff's Motion to Interview Trial Witnesses so that he may inquire into their knowledge regarding the subject matter of this lawsuit. Plaintiff states that some of his trial witnesses "have been transferred or separated" and he has not spoken to some of them for over a year.

Plaintiff has not identified these witnesses or their location. It is not even clear that these individuals are still incarcerated. Plaintiff also does not explain why other means of communication are unavailing.

The court will not impose upon state prison authorities an obligation physically to move prisoners so they may be interviewed. Those authorities, of course, will be expected to produce for trial persons in their custody who have properly been summoned as witnesses.

ACCORDINGLY, this day of February, 1998, upon consideration of plaintiff's Motion to Interview Trial Witnesses, **IT IS HEREBY ORDERED** that said Motion is **DENIED**, however, if he chooses to do so, plaintiff will be given a reasonable

opportunity at the time of trial to speak with his witnesses before they are called to the stand to testify.

BY THE COURT:

JAY C. WALDMAN, J.