

ORDER ON APPELLANT LEWIS' MOTION FOR DISCOVERY

IN THE MATTER OF THE APPEAL OF:

THOMAS FORD and WILLIAM LEWIS, Appellants,

vs.

DEPARTMENT OF SAFETY, DENVER SHERIFF'S DEPARTMENT,
and the City and County of Denver, a municipal corporation, Agency.

On Jan. 21, 2015, the Agency delivered documents requested in discovery for in camera review. After review of the documents and the arguments of the parties on Appellant Lewis' motion for discovery, the following findings and orders are entered:

1. Document 54 is an email and six pages from the medical file of the inmate involved in the use-of-force incident which is the subject of Appellants' consolidated appeal. The document shall be provided to Appellant after redaction to remove all identifying information about the inmate.
2. Documents 55 and 56 are emails related to the investigation of the allegations against Appellants. Both are discoverable on the issues in this appeal.
3. Documents 79 - 87 and 89 are email strings unrelated to this appeal, although the email subject line erroneously states, "RE: Ford case". The documents are not discoverable.
4. Document 88 is an email sent on July 15, 2014 relating to both this appeal and another unrelated appeal, as well as six pages of jail records related to the inmate involved in the use-of-force incident in this appeal. The reference to the other appeal shall be deleted before it is produced to Appellant. The inmate records shall be redacted to remove any identifying information about the inmate before being produced in discovery.
5. Document 90 is an email related in part to the Lewis disciplinary process. The email shall be produced in discovery after bullets (2) and (3) are redacted.
6. There is no Document 91 in the privilege log.

Order

The Agency is ordered to provide Documents **54 - 56, 88 and 90** after redaction to Appellant Lewis by 12:00 pm on Monday, January 26, 2015.

DONE January 23, 2015.


Valerie McNaughton
Career Service Hearing Officer