

FILED - MQ

November 27, 2017 11:54 AM

Thomas L. Dorwin, CLERK OF COURT  
U.S. DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
BY: slk / scanned

United States District Court  
For The  
Western District of Michigan  
Southern Division

DANNYL McCOON  
Plaintiff

District Court No. 3

v  
Trinity Food Group  
and Buschard and  
Warden Lasatz, and  
Warden Marshall and  
Ibc Bellamy Creek Correc-  
tional Facility Trinity Group  
Employees' Individual Capa-  
city  
"Defendants"

Judge:

2:17-cv-195

Robert J. Jonker, U.S. District Judge  
Timothy P. Greeley, Magistrate Judge

Motion to Hire Expert Witness  
(1) See Reverse Side

Now Comes Plaintiff in Pro Se And  
Move's The Court to Grant The Motion to  
Hire Expert witnesses for The following  
Reasons:

(1) Plaintiff Submits Motion to Hire Ex-  
pert witnesses Under the Michigan Court  
Rule (MCR 2.315) (MCR 2.302) and (MCR 2.308)  
and Federal Rule's of Civil Procedure 26,  
and Expert Medical and Food Nutrition  
Experts to testify in Mr. Daray McGone's  
behalf. See, E.g. MCR 2.302, Federal Rule  
of Civil Procedure 45 to Subpoena Food  
Nutrient witnesses to provide testimony  
that the Bellamy Creek Correctional Fa-  
cility Food Group is unnutritionally serving  
Food products and Rotten Potatoes, Unknown  
Meat and Unknown Poultry at The (IBC)  
Bellamy Creek Prison Level #2, Level #4 Se-  
curity Custody level. (2)



(3) Plaintiff contends that under MCL 775.15; MCL 775.16 and under Federal District witness is required to testify to testify and a man serving rotten, like to six days old vegetables that is not fit to eat or cook where all the nutrients are cooked out of the vegetables after 5 to 6 days and this is depriving the McGone of the 2700 calories and other similarly situated MDOC inmates at (FBC) Prison, (AME) Maximum Security Prisoners and Marquette Branch Prison inmates.

(3) Plaintiff argues the Federal District Court by discretion allow expert witnesses to testify against Employee Agents Trinity for feeding under 2700 calories by standards of health care for nutritious meals at (FBC) Prison. That substitute meals is inedible because it is combining old corn bread 5 to 6 days old, old unknown meat

(3) See Reverse Side



in a Non-Meat Vegetarian Requests.  
(3)

That Mr. Mc McGone became Sick and Lost Weight and Weight came down 10 to 12- Pounds That Medical Health Care Form's was signed to (M.D. Doctor's) At Bellamy Creek Correctional Facility Medical Health Department, Can Show The imminent Danger At Present and The future is causing a Harm, By Deficient, Unnutritious Meals, Rotten Vegetables, Rotten Fruit Under signed Fruit, Unripened Green Bananas That is Un-eatable, and Lost of Vitamin (A) Vitamin (C) For Each Week is occurring At The Bellamy Creek Correctional Facility and At The Tomia Reformatory, in Tomia, Michigan Prison causing Lost of Vitamin (C) and Vitamin (K) By Recovering Vegetables over again for 5-Days straight causing Sick ness. (4)



- (2) Plaintiff contends that under MCL 775.15; MCL: 775.16 and under Federal Expert Witness Criteria 21 USC 355 where Expert Witness is Required to testify to Trinity and Aarman serving rotten, five to six days old vegetables that is not fit to eat or cook where all the nutrients are cooked out of the vegetables after 5 to 6 days and this is depriving Mr. McGone of the 2700 calories and other similarly situated MDoc inmates at (EBC) Prison, (AMP) Maximum Security Prisoners and Marquette Branch Prison inmates.
- (3) Plaintiff argues the Federal District Court by discretion allow Expert Witnesses to testify against Employee Agents Trinity for Feeding under 2700 calories by standards of Health Care for nutritious meals at (EBC) Prison. That substitute meals is inedible because it is combining old corn bread 5 to 6 days old, old unknown meat in a non-meat Vegetarian Request. (3) See Reverse Side



That Mr. Mc Cone became Sick And Lost Weight and Weight came down 10 to 12 Full Pounds That Medical Health Care Forms was signed to (M.D Doctor) At Bellamy Creek Correctional Facility. Medical Health Department, can show the imminent danger at present and the future is causing a harm, by deficient, unnutritious meals, rotten vegetables, rotten fruit under sized fruit, unripened green bananas that is uneatable, and lost of Vitamin (A) Vitamin (B) for each week is occurring at the Bellamy Creek Correctional Facility and at the Jonia Reformatory, in Jonia, Michigan Prison causing cost of Vitamin (C) and Vitamin (A) by receiving vegetables over again for 5-days straight causing sickness.

(4) Plaintiff Has Found insects, Roaches, and Roach, in The Trinity Food Preparations.  
(4)



Grievances Has Been Filed on These Issues And Expert Witness is Directly Needed to Expose The Trinity Food Group is Serving Rotten Food and The Federal District Court Should Exercise Their Discretion to Grant Mr. Darryl Mc Gones Expert Motion. Chilingerian v City of Fraser 182 Mich App 163; 165; 451 NW2d 591 (1990) Expert Witness is Needed to Show A Proximate Cause of The Michigan Department of Corrections Food Corporation Trinity Has Served Rotten Food, Inedible Food Causing Sickness to Mr. Mc Gone and other inmates. Konan v Ford Motor Company # 72771. (1976) - 151 Mich App 300; 390 NW2d 709 (1986). Salazar v Westing House Electric Corp. 914 F.2d 250 (1991), Ut v Rubin / Chamber # 09-CV-1058 828 F Supp 2d 698 (2011) Law-Patt 541 F 2d 126 (1993). (5) See Reverse Side.



Ford v County of Hudson #07-5002 (2004)  
 Unpublished Opinion (Expert Witnesses).  
Hilf v Chastelain Co. 93 Mich App 281  
 268; 282 NW2d 100 (1979) Present and Fu-  
 ture Conditions Shown By Health/Medical  
 Expert Collins v Michigan 419 U.S. 866  
 95 Sct. 124; 42 Fed 2d 163 (1974) Expert Doctor  
 and Physicians Testimony on Reliability  
 MRE-701, MRE-703 Swaney v Hutzel Hos-  
pital 115 Mich App 254-258; 370 NW2d 234  
 (1980). See Keiper v Con. Bond Ins 116 Mich  
App 563; 313 NW2d 151 (1981) Kennedy v Bay  
City Taxi Cab Co. 325 Mich Report 668; (1937)  
Potvin v West Bay City Shipbuilding 156  
Mich Report 201; 170 NW 613 (1919). United  
States v Whortley 400 F. Supp 21880 (2005).  
 FRE-701, Scientific Acceptability of NATI-  
 HROVS Expert Testimony Admitted Ur v Trala  
386 F.3d 536 (2001) Delaware 3rd Circuit  
Trala 126 Sct. 1078; 163 Fedw 848.

(6)



Hegler v Dixon 160 Mich App 130; 149; 408 N.W.2d 121, 128 (1987). Expert testimony is Admissible Under MRE-104(a) FRE-104 (a)(b)(c)(d)  
Sells v Monroe County 158 Mich App 631; 47; 637 (405 N.W.2d 387-92 (1987). MRE-702 is a Corollary of MRE-602, Personal Knowledge of Witnesses And Calorie testimony for Health or Medical. Lyda Higgins v Detroit Osteopathic Hospital Corp 154 Mich App 752, 753, 754-55 (1986). MRE 702 (1)(B) See 7 Wymore PP 1918; MRE-702 Has been Amended in Response to Daubert v Merrell Dow Pharmaceutical Inc. 509 U.S. 579 (1993) Daubert Has Set Forth a Non-Exclusive Checklist for Trial Courts to Use in Assessing The Reliability of Scientific Expert testimony. Kumho 102 S.Ct. 1627; 106 (1991) Trial Judges May Exercise Their Discretion About Experts' Reliability. (7)

See Reverse Side



Docket 43 F 3d 1316 13 17 (2015) Walker 509  
U.S. 595 (2013). MCLA, 250.4929 A Expert  
Witness May Produce Accurate Medical  
Charts; Estelle v Gamble 429 U.S. 97 (1976),  
Farmer v Brennan 511 U.S. 825 (1994) FNE-701.  
(8)

### Relief Requested

Wherefore, Plaintiff may and request  
that Court Grant Motion to Hire Ex-  
pert Witness BY Discretion of The  
Court to oversee inadequate, MINU-  
TINOUS Food, INSUFFICIENT VITAMINS (A) and  
(B) Using Third Class Orange Mixture and  
UNHEALTHY UNKNOWN Meats That is Making  
Plaintiff M<sup>r</sup> Cone Very Sick. Expert  
Witness is Directly Needed to Demonstrate  
UNCONSTITUTIONAL Food Distribution Outside  
of MCL 289.13, MCL 289.101, And MCL 289.  
1105.  
(9)



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