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IN THE UNITED STATES DISTRICT COURT

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FOR THE DISTRICT OF ARIZONA

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Scott Huminski,

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CV 12-01437-PHX-FJM

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Plaintiff,

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**ORDER**

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vs.

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Mercy Gilbert Medical Center; Dignity Health; Tim Bricker; Gregory Berman; Gary Petersen; Jon Stevenson; Six Unnamed Employees of Mercy Gilbert Hospital/Dignity Health; Town of Gilbert; Tim Dorn; Debra Hartin,

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Defendants.

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The court has before it plaintiff's motion for order allowing pre-lawsuit discovery to identify defendants (doc. 4). Plaintiff, appearing *pro se*, alleges that he was violently attacked and detained by Mercy Gilbert hospital staff after he refused treatment and attempted to leave the hospital. Plaintiff requests a court order requiring Mercy Gilbert and Dignity Health to answer interrogatories and produce documents in order to "determine additional defendants in this lawsuit." Mot. at 1.

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Parties may not seek discovery "before the parties have conferred as required by Rule 26(f), except . . . when authorized by these rules, by stipulation, or by court order." Rule 26(d)(1), Fed. R. Civ. P. This action was filed on July 3, 2012. There is no indication that any defendants have even been served, let alone that the parties have conferred in accordance

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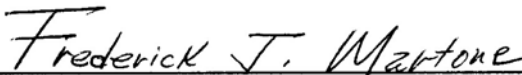
1 with Rule 26(f), Fed. R. Civ. P. Plaintiff's request for discovery is premature.

2 **IT IS ORDERED DENYING** plaintiff's motion for order allowing pre-lawsuit  
3 discovery to identify defendants (doc. 4).

4 Plaintiff is encouraged to seek the advice of a lawyer. If he does not have one, he may  
5 wish to contact the Lawyer Referral Service of the Maricopa County Bar Association at 602-  
6 257-4434.

7 DATED this 10<sup>th</sup> day of July, 2012.

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Frederick J. Martone  
United States District Judge