

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

DWAYNE E. JOHNSON

PLAINTIFF

V.

5:12CV00131 DPM/JTR

ED ADAMS, Captain,
Brassell Detention Center

DEFENDANT

ORDER

On April 27, 2012, the Court entered an Order directing Plaintiff, Dwayne E. Johnson, to file an Amended Complaint containing specific information needed to screen his § 1983 Complaint, as required by 28 U.S.C. § 1915A. *See* docket entry #3.

On May 8, 2012, Plaintiff filed a Motion asking the Court to compel Defendant to produce “all physical evidence of any type or character” that supports the merits of his claims. *See* docket entry #5. On the same day, Plaintiff filed a “Motion to Suppress” unspecified evidence. *See* docket entry #6.

Plaintiff’s Motions are premature and improper. After Defendant files an Answer or responsive pleading, Plaintiff may begin the discovery process by sending *specific* discovery requests directly to Defendant’s attorney. *See* Fed. R. Civ. P. 33, 34, 36, and 37. Importantly, discovery requests and responses must be mailed *directly* to Defendant’s attorney, and *not* filed in the record. *See* Fed. R. Civ. P. 5(d). If

Plaintiff later wishes to prevent Defendant from introducing certain evidence at trial, he must file a Motion in Limine that: (1) specifies the particular evidence he wishes to be excluded; and (2) the legal basis for exclusion.

IT IS THEREFORE ORDERED THAT Plaintiff's Motion to Compel (docket entry #5) and Motion to Suppress Evidence (docket entry #6) are DENIED.

Dated this 16th day of May, 2012.


UNITED STATES MAGISTRATE JUDGE