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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

RAYMOND WRIGHT,	CASE NO. 1:07-cv-00462-AWI-SKO PC
Plaintiff,	ORDER DENYING MOTION TO COMPEL
v.	(Doc. 76.)
KEN CLARK, et al.,	
Defendants.	

Plaintiff Raymond Wright (“Plaintiff”) is proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. On November 22, 2010, Plaintiff filed a motion to compel. (Doc. #76.) Defendants filed an opposition on December 13, 2010. (Doc. #77.) Plaintiff did not file a reply to Defendants’ opposition.

Defendants argue that Plaintiff’s motion to compel is improper because Plaintiff did not propound any discovery requests. Plaintiff has not contested Defendants’ arguments. Plaintiff’s motion to compel seeks to obtain documents such as copies of Plaintiff’s own complaint and copies of administrative appeals filed by Plaintiff.

Plaintiff is advised that discovery is generally a self-executing process. Plaintiff must serve discovery requests directly on the opposing party. Discovery requests are not processed through the Court. The purpose of a motion to compel under Federal Rule of Civil Procedure 37 is to compel an opposing party to disclose discovery that was improperly withheld. In other words, Plaintiff must first request some form of discovery directly from Defendants through the procedures outlined in Federal Rules of Civil Procedure 26-36. If Plaintiff is dissatisfied with Defendants’ response,

1 Plaintiff may challenge the response via a Rule 37 motion to compel.¹ Plaintiff may not file a motion
2 to compel until he has first attempted to obtain discovery directly from Defendants. A motion to
3 compel under Rule 37 is not the proper mechanism to propound an initial request for discovery.

4 Based on the foregoing, it is HEREBY ORDERED that Plaintiff's motion to compel is
5 DENIED.

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7 IT IS SO ORDERED.

8 **Dated: March 16, 2011**

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE

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¹The Court does not offer any opinion regarding the appropriateness of Plaintiff's document requests.