

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

CARIS LYNN MCDOUGALD)	1:08cv238 AWI DLB
)	
)	
Plaintiff,)	ORDER DENYING PLAINTIFF’S
)	MOTION TO COMPEL AS PREMATURE
v.)	(Document 45)
)	
MODESTO POLICE DEPARTMENT)	
OFFICERS RAMAR AND CAMBPELL,)	
)	
)	
Defendants.)	

Plaintiff Caris Lynn McDougald (“Plaintiff”), appearing pro se and proceeding in forma pauperis, filed the instant civil rights action on February 19, 2008.

On August 3, 2009, Plaintiff filed a motion to compel production of documents. However, according to Defendants’ August 4, 2009, opposition, Plaintiff has not yet requested the documents in the normal course of discovery. Indeed, in his reply, Plaintiff states that he attempted to obtain the documents in his Request for Interrogatories and by letter. Neither method is sufficient to discover documents under the rules of discovery. Plaintiff’s motion is therefore DENIED AS PREMATURE.

///

///

1 Plaintiff is directed to Federal Rule of Civil Procedure 34, which addresses Requests for
2 Production of Documents. The discovery cut-off has been extended to October 31, 2009, and the
3 Court expects the parties to work diligently and cooperatively to complete discovery by this date.

4 IT IS SO ORDERED.

5 **Dated: August 13, 2009**

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE

6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28