

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

RICKEY ADAMS,
Plaintiff,
v.
JAMES YATES, et al.,
Defendants.

Case No. 1:10-cv-0671-AWI-MJS
ORDER DENYING PLAINTIFF'S
MOTION FOR DOCUMENTS
ECF No. 56

Plaintiff Rickey Adams ("Plaintiff"), a California state prisoner, filed this civil rights action pursuant to 42 U.S.C. § 1983 on April 15, 2010.

The action proceeds on Plaintiff's Second Amended Complaint, filed July 23, 2012, against Defendants Erickson, Rumbles, and Brumbaugh for retaliating against Plaintiff in violation of the First Amendment of the United States Constitution. (ECF Nos. 33-37.)

Plaintiff previously filed motions to compel. (ECF Nos. 44, 45, 48, 49.) All were denied as incomplete and inadequate. (ECF No. 55.) None included a copy of the discovery requests in dispute, defendants' responses to them, or any basis for claiming the requested information was discoverable. (Id.)

Plaintiff has now filed a motion requesting that the Court provide him with a copy of defendants' objections to his first request for production of documents so that he may

1 comply with the Court's order. (ECF No. 56.)

2 Under Federal Rule of Civil Procedure 26, discovery requests and responses to
3 them are not to be filed with the Court except under unique circumstances not present
4 here. Thus, the Court does not have a copy of defendants' objections to Plaintiff's
5 discovery. The Court cannot provide to Plaintiff a copy of that which it does not have.

6 The Court would consider ordering defendants to provide Plaintiff with another
7 copy of their objections, but here it appears the time for filing a motion has long expired.
8 Therefore no useful discovery purpose would be served by such an order.

9 Accordingly, Plaintiff's motion is DENIED.

10
11
12 IT IS SO ORDERED.

13
14 Dated: November 26, 2013

/s/ Michael J. Seng
15 UNITED STATES MAGISTRATE JUDGE