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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

EFREN VALENCIA,)	Case No.: 1:10-cv-01348-LJO-SAB (PC)
)	
Plaintiff,)	
)	ORDER DENYING PLAINTIFF’S MOTION TO
v.)	COMPEL, WITHOUT PREJUDICE
)	
DEAZEVEDO, et al.,)	[ECF No. 60]
)	
Defendant.)	
)	
)	
)	

Plaintiff Efren Valencia is appearing pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.

On July 24, 2014, Plaintiff filed a motion to compel. Defendant filed an opposition on August 6, 2014.

Plaintiff claims that he served requests for production of documents on June 19, 2014.

The discovery phase of this action was not open in this action. Indeed, the Court’s First Informational Order states: “No discovery may be conducted without court permission until an answer is filed and the court issues the discovery order.” (ECF No. 11, Order at 4:23-25.) In any event, even if discovery was open by court order, Plaintiff was advised that “[w]here the response to discovery is unsatisfactory, the party seeking discovery may file a motion to compel discovery, including a copy of the discovery propounded and the response thereto.” (Id. at 5:2-3.) Furthermore, it was advised that

1 “[a] discovery motion that does not comply with all applicable rules will be stricken and may result in
2 imposition of sanctions.” (Id. at 5:8-10.) (emphasis omitted).

3 Plaintiff’s motion to compel does not include a copy of the requests for production of
4 documents that is the subject of his motion. As the moving party in a motion to compel, Plaintiff
5 bears the burden of describing which discovery requests are the subject of his motion to compel, and
6 for each disputed response, inform the Court why the information sought is relevant. See, e.g., Avila
7 v. Cate, No. 1:09-cv-00918-SKO PC, 2011 WL 1087105, at *1 (E.D. Cal. Mar. 24, 2011); Brooks v.
8 Almeida, No. CIV S-03-2343 JAM EFB P, 2009 WL 331358, at *2 (E.D. Cal. Feb. 10, 2009)
9 (“Without knowing which responses plaintiff seeks to compel or on what grounds, the court cannot
10 grant plaintiff’s motion.”)

11 Accordingly,

12 IT IS HEREBY ORDRED that Plaintiff’s motion to compel is DENIED, without prejudice.

13
14 IT IS SO ORDERED.

15 Dated: September 11, 2014



UNITED STATES MAGISTRATE JUDGE