

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**

DANNY CAESAR,	)	Case No.: 1:13-cv-01726-DAD-BAM (PC)
	)	
Plaintiff,	)	
	)	ORDER DENYING PLAINTIFF’S MOTION FOR
v.	)	AN ORDER COMPELLING DISCOVERY
	)	RESPONSES
LOPEZ, et al.,	)	
	)	(ECF No. 63)
Defendants.	)	
	)	

---

Plaintiff Danny Caesar is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. Currently before the Court is Plaintiff’s motion to for an order compelling discovery responses, dated February 14, 2018. (ECF No. 63.) Plaintiff states that he served written discovery requests on January 9, 2018, but did not receive any answers as of the date of his motion.

Under this Court’s discovery and scheduling order, dated November 22, 2017, responses to written discovery requests shall be due forty-five (45) days after the request is first served. (ECF No. 55 ¶ 2.) Accordingly, Defendants responses were not due until after Plaintiff’s motion was filed.

Accordingly, Plaintiff’s motion compelling discovery responses is HEREBY DENIED, as premature.

IT IS SO ORDERED.

Dated: February 26, 2018

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE