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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

VANCE UTLEY,
Plaintiff,
v.
C.O. ACEVEDO, et al.,
Defendants.

Case No. 1:15-cv-01086-DAD-SAB
ORDER DIRECTING DEFENDANTS TO
RESPOND ON THE MERITS TO
PLAINTIFF’S JULY 17, 2016 MOTION TO
COMPEL

On June 29, 2016, Plaintiff filed a motion to compel the production of records from the California Department of Corrections and Rehabilitation (CDCR). (ECF No. 41.) Plaintiff noticed the motion to compel for hearing on July 20, 2016. The parties did not file a joint statement re discovery disagreement or an affidavit pursuant to Local Rule 251(d). Therefore, the Court vacated the July 20, 2016 hearing and Plaintiff’s motion to compel was denied without prejudice on July 15, 2016. (ECF No. 43.)

On July 17, 2016, Plaintiff filed a second motion to compel the production of records from CDCR, which he titled an amended notice of motion and motion for order compelling the production of records. (ECF No. 44.) Plaintiff’s counsel also filed a 251(d) declaration on July 17, 2016. (ECF No. 44-2.)

On July 29, 2016, Defendants filed an opposition to Plaintiff’s motion to compel that only addressed whether Plaintiff’s July 17, 2016 motion to compel was filed after the deadline

