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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
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11 WILLIAM J. GRADFORD,

12 Plaintiff,

13 v.

14 MCDOUGALL, et al.,

15 Defendants.
16

1:17-cv-00201-DAD-GSA-PC

ORDER DENYING PLAINTIFF'S
REQUEST FOR LEAVE TO FILE
DISCOVERY DOCUMENTS

(ECF No. 48.)

17 William J. Gradford ("Plaintiff") is a prisoner proceeding *pro se* and *in forma pauperis*
18 with this civil rights action pursuant to 42 U.S.C. § 1983. This action now proceeds with
19 Plaintiff's initial Complaint, filed on February 13, 2017, against defendants Tiexiera and
20 McCarthy for retaliation in violation of the First Amendment. (ECF No. 1.)

21 On March 23, 2018, the court issued a discovery and scheduling order, opening discovery
22 and setting out pretrial deadlines for the parties. (ECF No. 33.) The deadline to complete
23 discovery, including the filing of motions to compel, expired on August 23, 2018. Thus,
24 discovery is now closed. Plaintiff filed three motions to compel on June 4, 2018, which are
25 pending. (ECF Nos. 41, 42, 43.)

26 On August 30, 2018, Plaintiff filed a request for leave to file discovery documents. (ECF
27 No. 48.) Therein, Plaintiff requests leave "to file interrogatories, admissions, and evidence in
28 this case with the court." (Id.)

1 To the extent that Plaintiff seeks to file his discovery documents as evidence in this case,
2 his request is denied pursuant to Local Rules 250.2, 250.3, and 250.4, which provide that
3 interrogatories, requests for production, and requests for admission, responses, and proofs of
4 service thereof “shall not be filed unless and until there is a proceeding in which the document
5 or proof of service is at issue.” L.R. 250.2, 250.3, 250.4 Therefore, Plaintiff should not file
6 discovery documents with the court unless a proceeding such as a motion to compel, motion for
7 summary judgment, or trial cause the documents to be at issue.

8 The court has reviewed Plaintiff’s pending motions to compel and finds no need for
9 Plaintiff to file any of his interrogatories, admissions, or evidence in support of the motions.
10 There are no pending motions for summary judgment in this case, and trial has not been
11 scheduled. The court finds no good cause for Plaintiff to file discovery documents with the court
12 at this stage of the proceedings. Discovery is now closed, and Plaintiff should not submit
13 evidence for trial to the court until he is instructed to do so by the court.

14 Based on the foregoing, Plaintiff’s request for leave to file discovery documents with the
15 court is DENIED.

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17 IT IS SO ORDERED.

18 Dated: September 4, 2018

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE