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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MAURICE C. CAMPBELL,

Plaintiff,

No. CIV S-07-1419 WBS GGH P

vs.

CALIFORNIA DEPARTMENT OF
CORRECTIONS AND
REHABILITATION, et al.,
_____ /

Plaintiff, a state prisoner proceeding pro se, seeks relief pursuant to 42 U.S.C. § 1983. Pending before the undersigned is plaintiff's June 30, 2009, motion for default judgment. In this motion, plaintiff seeks to compel responses to requests for production of documents. Accordingly, plaintiff's motion is construed as a motion to compel. For the following reasons, this motion is denied.

Plaintiff alleges that on April 5, 2009, he served defendants with a request for production of documents. A copy of the request for production of documents is attached to defendants' opposition. The proof of service attached to the request is dated April 5, 2009. Plaintiff alleges that on May 22, 2009, he received a response from defendants alleging that the request was untimely.

Pursuant to the December 23, 2008, scheduling order, the parties were allowed to conduct discovery until May 22, 2009. Any motions to compel were due by that date and all

