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

10 GERALD L. MILLER,

11 Plaintiff,

No. CIV S-07-1646 LKK EFB P

12 vs.

13 JANE WOODFORD, et al.,

14 Defendants.

ORDER

15 _____/
16 Plaintiff is a state prisoner proceeding without counsel in an action brought under 42
17 U.S.C. § 1983. On January 7, 2009, February 27, 2009, and March 9, 2009, plaintiff filed
18 discovery requests, including requests for the production of documents, requests for admissions,
19 and a set of interrogatories

20 Interrogatories, requests for production, requests for admission, responses and proofs of
21 service thereof “shall not be filed with the clerk until there is a proceeding in which the
22 document or proof of service is at issue. When required in a proceeding, only that part of the
23 request and response that is in issue shall be filed.” Local Rules 33-250(c), 34-250(c) & 36-
24 250(c).

25 Accordingly, the court will not consider plaintiff’s January 7, 2009, February 27, 2009,
26 and March 9, 2009, discovery requests when considering any motion to compel currently

1 pending or which he might file in the future. He must comply with the Federal Rules of Civil
2 Procedure and the Local Rules of this Court if he moves to compel responses to his discovery
3 requests. Insofar as this order requires him to file an amended motion to compel so that his
4 February 11, 2009, motion to compel complies with all applicable rules, he has twenty days from
5 the date this order is signed to do so.

6 So ordered.

7 Dated: April 1, 2009.


8 EDMUND F. BRENNAN
9 UNITED STATES MAGISTRATE JUDGE
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