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

AMOS RYLES,

Plaintiff,

No. 2:08-cv-0615 JAM KJN P

vs.

SMITH,

Defendant.

ORDER


_____/

Plaintiff is a state prisoner proceeding without counsel with an action under 42 U.S.C. § 1983. Plaintiff has filed a document entitled “motion for discovery for evidentiary documents.” Plaintiff is informed that at this stage of the litigation of this case, court permission is not necessary to propound discovery requests and that neither discovery requests served on an opposing party nor that party's responses should be filed until such time as a party becomes dissatisfied with a response and seeks relief from the court pursuant to the Federal Rules of Civil Procedure. Plaintiff’s proper course is to serve defendant directly with any discovery requests, if he has not already done so. Discovery requests between the parties shall not be filed with the court unless, and until, they are at issue.

Accordingly, IT IS HEREBY ORDERED that plaintiff’s April 1, 2010 motion for discovery for evidentiary documents (Dkt. No. 47) will be placed in the court file and

1 disregarded. Plaintiff is cautioned that further filing of discovery requests or responses, except as
2 required by rule or order of court, may result in an order of sanctions, including, but not limited
3 to, a recommendation that this action be dismissed.

4 DATED: April 28, 2010

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8 KENDALL J. NEWMAN
9 UNITED STATES MAGISTRATE JUDGE

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