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

BENNIE R. WILSON,
Plaintiff,

No. CIV S-09-2667-MCE-CMK-P

vs.

ORDER

N. MERCADO,
Defendant.

_____ /

Plaintiff, a prisoner proceeding pro se, brings this civil rights action pursuant to 42 U.S.C. § 1983. Pending before the court is plaintiff’s request (Doc. 21) entitled “Motion for Discovery” in which he appears to seek an order directing defendant to provide discovery. Plaintiff has not, however, established that proper discovery requests were served and that defendant failed to adequately respond. Before plaintiff can seek an order compelling discovery, he must first serve discovery requests on defendant. Plaintiff’s “Motion for Discovery” is denied.

IT IS SO ORDERED.

DATED: October 20, 2010



CRAIG M. KELLISON
UNITED STATES MAGISTRATE JUDGE