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

STEVEN R. RODRIGUEZ,

Plaintiff,

No. CIV S-10-0204 KJM P

vs.

CITY OF STOCKTON, et al.,

Defendants.

ORDER

\_\_\_\_\_ /

Plaintiff has filed a document entitled "request for production of documents."

None of the defendants have answered or otherwise appeared in the action and the court has not issued its discovery and scheduling orders, so any discovery is premature. Moreover, once the discovery order has issued, plaintiff does not need court permission for discovery requests.

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. Discovery requests between the parties shall not be filed with the court unless, and until, they are at issue.

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Accordingly, IT IS HEREBY ORDERED that plaintiff's request for production of documents (Docket No. 14) will be placed in the court file and disregarded. Plaintiff is cautioned that further filing of discovery requests or responses, except as required by rule of court, may result in an order of sanctions, including, but not limited to, a recommendation that this action be dismissed.

DATED: July 15, 2010.

  
U.S. MAGISTRATE JUDGE

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