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7	IN THE UNITED STATES DISTRICT COURT
8	FOR THE EASTERN DISTRICT OF CALIFORNIA
9	RENE MEDINA,
10	Plaintiff, No. CIV S-10-0502 LKK GGH P
11	VS.
12	KATHLEEN DICKINSON, et al.,
13	Defendants. <u>ORDER</u>
14	/
15	By Order filed on November 1, 2011, pursuant to plaintiff's motion, discovery
16	was "re-opened for the limited purpose of permitting plaintiff to serve his prepared discovery
17	requests upon defendants within fourteen days of the filed date of [that] order." The discovery
18	deadline was extended to December 28, 2011, and the pretrial dispositive motion was extended
19	to April 11, 2012. Thereafter, on December 15, 2011, plaintiff filed a "motion for an order
20	compelling discovery," averring that he had served his first set of interrogatories and his first set
21	of requests for production of documents, upon defendants Clark, Hurtado, Gonzalez and
22	Swarthout on November 15, 2011, but had yet to receive answers or any documents. Plaintiff
23	stated that he had also filed a copy of his discovery requests in court on the same date. See
24	Motion. Although it would not have been necessary to have filed his discovery requests at the
25	time he avers that he served them upon defendants, the undersigned notes that nothing in the case
26	docket indicates that plaintiff's discovery requests were filed.
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On February 13, 2012, plaintiff filed a letter directed to defendants' counsel, referencing discovery documents that he states were filed on November 15, 2012, and indicating that to date, he still had received no discovery responses. No response to plaintiff's motion or his letter has been filed by defendants.

It is unclear to this court whether plaintiff properly served his discovery requests upon defendants because, although he believes they have been filed in this court, they have not been. Again, to do so would have been unnecessary on November 15, 2011. However, now it has become an issue as to whether they were served upon defendants. Defendants must forthwith inform the court whether they received the discovery requests and, if so, whether they have responded to the requests and, if not, why they have not. If they did not receive the requests, defendants should nevertheless have responded to plaintiff's motion to so inform both the court and plaintiff.

Accordingly, IT IS ORDERED that defendants file a response to plaintiff's motion, filed on December 15, 2011 (docket # 47), by no later than March 19, 2012. There will be no extension of time.

DATED: March 14, 2012

/s/ Gregory G. Hollows UNITED STATES MAGISTRATE JUDGE

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