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

KENNETH HILL,

Plaintiff,

No. 2:10-cv-1896 MCE EFB P

vs.

J. HALL, et al.,

Defendants.

ORDER

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Plaintiff is a state prisoner proceeding without counsel in an action brought under 42 U.S.C. § 1983. Pursuant to the court’s scheduling order, any motions to compel were to be filed by June 22, 2012. Dckt. No. 24. In a filing dated June 20, 2012, plaintiff, in only one sentence, moves to compel defendants to “answer, according to requests made pursuant to Rule 34,” and to “permit inspection and copying of documents requested pursuant to Rule 36 of Fed. R. Civ. P.” Dckt. No. 30.

A motion to compel is appropriate when a party fails to produce relevant, non-privileged documents requested pursuant to Rule 34. Fed. R. Civ. P. 37(a)(3)(B)(iv). Additionally, an evasive or incomplete answer or response to a discovery request “must be treated as a failure to disclose, answer, or respond.” Fed. R. Civ. P. 37(a)(4). The party seeking to compel discovery


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1 has the burden of informing the court why the defendants' objections are not justified or why the  
2 defendants' responses are otherwise deficient.

3 Here, plaintiff offers no explanation as to why defendants' responses to his discovery  
4 requests were deficient. Without knowing how defendants responded to plaintiff's discovery  
5 requests, or on what grounds plaintiff moves to compel further responses, there is no basis on  
6 which to grant plaintiff's motion.

7 Accordingly, IT IS HEREBY ORDERED that plaintiff's motion to compel (Dckt. No.  
8 30) is denied.

9 DATED: July 10, 2012.

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EDMUND F. BRENNAN  
UNITED STATES MAGISTRATE JUDGE