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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

MARTIN WARE,  
  
                                Plaintiff,  
  
                v.  
  
M. McDONALD, et al.,  
  
                                Defendants.

No. 2:12-cv-1505 TLN KJN P

ORDER

On June 22, 2015, plaintiff filed a document in the form of a memo or letter, with the subject line: “Discovery evidence.” (ECF No. 84.) Plaintiff states that he received defendant Hanks’ response to plaintiff’s request for production of documents, but claims he did not receive the “genuineness of documents” or actual copies as requested in the request for admissions<sup>1</sup> made to defendant Hanks. However, plaintiff suggests he might not have properly drafted the request or requests.

If plaintiff believes he did not receive a response that he should have, or that his request was unclear, he is not precluded from writing to defendants’ counsel in an effort to resolve the misunderstanding. But if plaintiff formally disputes discovery responses, he must file a motion to

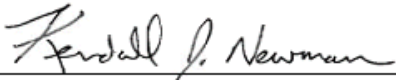
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<sup>1</sup> Plaintiff is advised that requests for admissions are not the proper discovery tool to obtain documents. Fed. R. Civ. P. 36. Rather, generally, documents are obtained through requests for production of documents. Fed. R. Civ. P. 34.

1 compel discovery if he seeks the court's ruling on the dispute. Fed. R. Civ. P. 37(a). Plaintiff is  
2 reminded that discovery closes on July 24, 2015. (ECF No. 75 at 5.)

3 Accordingly, IT IS HEREBY ORDERED that plaintiff's June 22, 2015 filing is retained  
4 in the court record and disregarded.

5 Dated: June 26, 2015

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7 \_\_\_\_\_  
8 KENDALL J. NEWMAN  
9 UNITED STATES MAGISTRATE JUDGE

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