

1 court rather than the defendants. Further, for reasons apparently beyond his control, the
2 placement of his request in the mail for delivery was delayed by several days.² See ECF No. 44
3 (explaining that correctional officers determine when documents are actually placed in the
4 outgoing mail).

5 In light of plaintiff's timely preparation and delivery to prison officials of his request for
6 production of documents, he has made good faith efforts to comply with the deadline.
7 Accordingly, the request is granted in part and plaintiff's request for production of documents
8 (ECF No. 43) is deemed timely served on defendants.³ Defendants shall respond to the request
9 within thirty days. Fed. R. Civ. P. 34(b)(2)(A).

10 The Clerk of the Court shall terminate docket numbers 38 and 43.

11 So ordered.

12 DATED: October 9, 2014.

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14 EDMUND F. BRENNAN
15 UNITED STATES MAGISTRATE JUDGE
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24 ² Discovery documents must be served on the proper party rather than filed them with the
25 court. Pursuant to this court's local rules, interrogatories, requests for production, requests for
26 admission, and responses thereto "shall not be filed with the clerk" unless there is a proceeding
that puts the discovery request or response at issue. See E.D. Cal. Local Rules 250.2-250.4.

27 ³ Defendants contend that plaintiff's discovery request suffers from numerous deficiencies
28 and violates the Federal Rules of Civil Procedure. ECF No. 45. Defendants may properly assert
those arguments in their objections and/or responses to the requests.