UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

FREDDIE LEE WILLIAMSON,

Plaintiff,

v.

CSP SOLANO MAILROOM STAFF, et al.,

Defendants.

No. 2:13-cv-1978-WBS-EFB P

ORDER

Plaintiff, a prisoner without counsel, has filed a complaint alleging civil rights violations pursuant to 42 U.S.C. § 1983. Pending before the court is plaintiff's "motion of discovery." ECF No. 29.

Requests for discovery must be served on a defendant and not filed with the court. Pursuant to this court's local rules, interrogatories, requests for production, requests for 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. Further, when a discovery request or response is at issue, only the part of the request or response at issue "shall be filed." *Id.* At this time, there is no proceeding before the court that requires plaintiff's discovery requests for its resolution. To the contrary, the court has recommended that plaintiff's second amended complaint be dismissed for failure to state a claim. *See* ECF No. 26.

Thus, there is no defendant upon whom plaintiff could properly serve a discovery request.

Accordingly, plaintiff's "motion of discovery" (ECF No. 29) is denied.

DATED: May 2, 2016.

EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE