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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

JEREMY JAMISON,  
Plaintiff,  
v.  
YC PARMIA INSURANCE GROUP, et  
al.,  
Defendants.

No. 2:14-cv-1710 GEB KJN P

ORDER

Plaintiff is a state prisoner, proceeding without counsel. Multiple motions are pending, which this court addresses as follows.

On June 3, 2015, plaintiff filed a motion to compel discovery. However, as noted in defendants’ opposition, plaintiff did not first serve discovery requests or allow time for defendants to respond. Thus, plaintiff’s motion to compel is premature and is denied without prejudice.

On June 17, 2015, plaintiff filed a document entitled “Motion for Production of Documents.” (ECF No. 48.) Plaintiff is informed that court permission is not necessary for discovery requests and that neither discovery requests served on an opposing party nor the party’s responses should be filed until such time as a party becomes dissatisfied with a response and seeks relief from the court pursuant to the Federal Rules of Civil Procedure. Discovery requests between the parties shall not be filed with the court unless, and until, they are at issue.

1 Plaintiff is cautioned that further filing of discovery requests or responses, except as required by  
2 rule of court, may result in an order of sanctions, including, but not limited to, a recommendation  
3 that this action be dismissed.

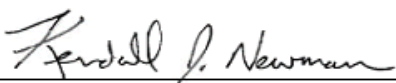
4 On June 4, 2015, plaintiff filed a document styled "Motion for Judgment," in which  
5 plaintiff alleges defendants failed to timely respond to the amended complaint. (ECF No. 45.)  
6 The undersigned construes plaintiff's motion as a request for entry of default. Defendants filed  
7 an opposition in which they state that although they timely responded by filing a motion to  
8 dismiss pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, it appears that plaintiff  
9 may not have received the motion due to his subsequent transfer to a different prison. (ECF No.  
10 47.) Defendants re-served their motion to dismiss on plaintiff's current address. (Id.) On June  
11 17, 2015, plaintiff filed an opposition to the motion to dismiss. (ECF No. 49.) Because  
12 defendants have timely appeared in this action, plaintiff's request for default is denied.

13 Finally, in light of the pending motion to dismiss, discovery is stayed pending resolution  
14 of the motion. Once the motion to dismiss is resolved, the undersigned will, if appropriate, issue  
15 a discovery order. Pending further order of court, plaintiff shall not serve any discovery requests.

16 Accordingly, IT IS HEREBY ORDERED that:

- 17 1. Plaintiff's motion to compel discovery (ECF No. 44) is denied without prejudice;
- 18 2. Plaintiff's motion for production of documents (ECF No. 48) is denied without  
19 prejudice;
- 20 3. Plaintiff's June 4, 2015 motion (ECF No. 45), construed as a request for default, is  
21 denied; and
- 22 4. All discovery is stayed pending resolution of defendants' motion to dismiss (ECF No.  
23 42).

24 Dated: June 25, 2015

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27 KENDALL J. NEWMAN  
28 UNITED STATES MAGISTRATE JUDGE

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