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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RAUL ENRIQUE RAMIREZ,
Plaintiff,
v.
B. FLEMING, et al.,
Defendants.

No. 2:14-cv-1937 KJM CKD P

ORDER

On October 3, 2016, plaintiff filed a motion seeking “sanctions” against defendants under Rule 37 of the Federal Rules of Civil Procedure based upon allegations by plaintiff that defendants failed to provide certain documents and other information in discovery.¹ Essentially,

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¹ One of plaintiff’s allegations is defendants failed to provide the “initial” disclosures required under Federal Rule of Civil Procedure 26(a)(1). However, since plaintiff is proceeding without an attorney and is in the custody of a state of the United States, the parties are exempt from the “initial disclosure” provisions found in Rule 26(a)(1). Fed. R. Civ. P. 26(a)(1)(B)(iv).

1 this is plaintiff's second motion to compel filed after the close of discovery on June 9, 2016.²
2 ECF No. 45 & 49. As with the first motion, the second (ECF No. 61) is untimely and is denied.

3 Dated: October 13, 2016



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5 CAROLYN K. DELANEY
6 UNITED STATES MAGISTRATE JUDGE

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² The first motion was filed August 1, 2016 and denied August 3, 2016.