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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

NICHOLAS JAMES MURPHY,
Plaintiff,
v.
MIDLAND FUNDING, LLC,
Defendant.

No. 2:17-cv-0242-JAM-KJN PS

ORDER

A status (pretrial scheduling) conference in this matter is presently set for April 27, 2017. (ECF No. 8.)

On April 10, 2017, plaintiff filed a “motion for discovery.” (ECF No. 10.) However, upon review of the motion, it is actually a set of requests for admission to defendant. Discovery requests, and responses to such requests, should not ordinarily be filed on the court record, but merely served on the parties to the action. Moreover, a discovery motion at this juncture is premature, because plaintiff has merely requested defendant to answer the requests for admission. In light of plaintiff’s *pro se* status, the filing of a discovery motion was likely an inadvertent error. If plaintiff at a later juncture believes that defendant’s discovery responses are somehow insufficient, and wishes to bring a discovery motion, he must comply with the Federal Rules of Civil Procedure and Local Rule 251, including the specific meet-and-confer and briefing

1 requirements.¹

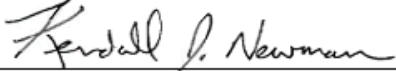
2 Therefore, the court denies the motion for discovery without prejudice as premature. The
3 court also stays discovery until the April 27, 2017 status conference.

4 Accordingly, IT IS HEREBY ORDERED that:

- 5 1. Plaintiff's motion for discovery (ECF No. 10) is DENIED WITHOUT PREJUDICE as
6 premature.
- 7 2. All discovery is STAYED until the April 27, 2017 status conference.

8 IT IS SO ORDERED.

9 Dated: April 12, 2017

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12 KENDALL J. NEWMAN
13 UNITED STATES MAGISTRATE JUDGE
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28 ¹ A copy of the court's Local Rules is available on the court's website or from the Clerk's Office.