

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Boyd N. Boland

Civil Action No. 05-cv-00171-MSK-BNB

ANTHONY RAY MARTINEZ,

Plaintiff,

v.

DENVER DEPUTY SHERIFF, DAVID O. MARTINEZ (in his official and individual capacity),
Defendant.

ORDER

This matter arises on **Plaintiff's Motion Requesting Order Directing Defendant's Counsel to Comply with Fed.R.Civ.P. rule 26** [Doc. # 155, filed 07/17/2009] (the "Motion"). The Motion is DENIED.

The plaintiff requests an order directing the defendant to provide responses to his interrogatories and requests for production of documents. He states that he sent defense counsel the discovery requests seven or eight months ago and has not received responses.

The plaintiff filed a motion to compel on September 28, 2007 [Doc. #69]. I denied the motion on January 21, 2009 [Doc. #133]. The defendant states that the plaintiff has not propounded any other discovery in this case which requires a response. *Defendant's Response to Plaintiff's Motion Requesting Order Directing Defendant's counsel to Comply with Fed.R.Civ.P. 26* [Doc. #157], ¶ 2.

The plaintiff did not include with the Motion copies of his discovery requests and responses, nor did he provide a verbatim quotation of them, all in violation of

D.C.COLO.LCivR 37.1. Therefore, it is impossible to determine the content of the discovery requests or whether a response is required.

IT IS ORDERED that the Motion is DENIED.

Dated July 31, 2009.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge