

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

Civil Action No 13-cv-01726-RBJ-BNB

RUBEN ARAGON,

Plaintiff,

v.

ROSSKAMM ERLANGER,
GUY EDMONDS,
MITCHELL BUTTERFIELD,
RHONDA FUNSTON, and
JEFFREY HILL,

Defendants.

ORDER

The matter arises on the plaintiff's **Motion for an Order Compelling Discovery** [Doc. #41, filed 01/24/2014] (the "Motion"). The Motion is DENIED without prejudice.

The plaintiff currently is incarcerated at the Buena Vista Correctional Complex. He is proceeding *pro se*, and I must liberally construe his pleadings. Haines v. Kerner, 404 U.S. 519, 520-21 (1972). I cannot act as advocate for a *pro se* litigant, however, who must comply with the fundamental requirements of the Federal Rules of Civil Procedure. Hall v. Bellmon, 935 F.2d 1106, 1110 (10th Cir. 1991).

The plaintiff served discovery requests on the defendants on December 16, 2013 [Doc. #40]. He requests that the defendants be compelled to produce the discovery, and he seeks monetary sanctions.

The defendants have filed motions to dismiss, and a Scheduling Conference will not be held until after a recommendation has been issued which addresses the motions to dismiss. Therefore, discovery has not yet commenced, and the plaintiff's request for discovery is premature. After discovery begins, the plaintiff may be able to obtain from the defendants the records he seeks.

IT IS ORDERED that the Motion for an Order Compelling Discovery [Doc. #41] is DENIED without prejudice.

Dated February 3, 2014.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge