

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

MADISON MARSHALL, III

CIVIL ACTION

VERSUS

NO: 16-15907

JAMES POHLMAN

**UNITED STATES MAGISTRATE
JUDGE KAREN WELLS ROBY**

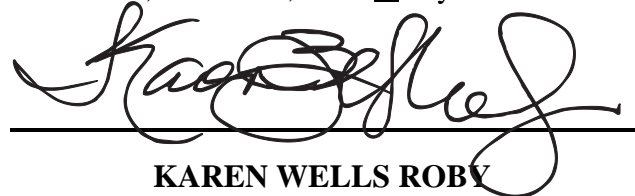
ORDER

Before the Court is a **Motion to Retrieve Evidence from Defendant (R. Doc. 14)** filed by *pro se* Plaintiff Madison Marshall. Marshall has filed the instant motion “requesting all information to subpoena witnesses or Plaintiff to this case.” R. Doc. 14., p. 1. In reading the motion, the Court understands Marshall to be seeking discovery from the Defendant. As such, the Court denies Marshall’s motion as procedurally improper. *See Powell v. United States*, No. 09-1873, 2009 WL 5184338 at *1 (E.D. La. Dec. 22, 2009). While *pro se* plaintiffs are afforded a certain amount of leeway, “[a] *pro se* litigant is not exempt from compliance with relevant rules of procedural and substantive law.” *Stinson v. Edwards*, No. 12-404, 2013 WL 3783976, at *5 (E.D. La. July 18, 2013) (citing *Birl v. Estelle*, 660 F.2d 592, 593 (5th Cir. 1981) and *Beard v. Experian Info. Solutions Inc.*, 214 F. App’x 459, 462 (5th Cir. 2007)). As such, Marshall “should pursue the information he seeks by serving discovery requests on the [the Defendant] in accordance with the Federal Rules of Civil Procedure and the Local Rules of this Court.” *Powell*, 2009 WL 5184338 at *1; *see also*, Fed. R. Civ. P. 26–37.

Accordingly,

IT IS ORDERED that the Defendant's **Motion to Retrieve Evidence from Defendant (R. Doc. 14)** is **DENIED**.

New Orleans, Louisiana, this 9th day of June 2017.


KAREN WELLS ROBY
UNITED STATES MAGISTRATE JUDGE