

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

LEE LUCAS (#338382)

CIVIL ACTION

VERSUS

N. BURL CAIN, ET AL.

NO. 12-791-JWD-SCR

RULING ON MOTION TO COMPEL DISCOVERY

Before the Court is the Plaintiff's Motion to Compel Discovery (R. Doc. 74). Defendants filed an opposition to the plaintiff's Motion, stating that they have since responded to the plaintiff's requests and that their failure to previously respond was inadvertent (R. Docs. 75 and 85). Plaintiff filed a response to the defendants' opposition, complaining that certain of the documents allegedly sent to him by the defendants were not attached to the defendants' discovery responses (R. Doc. 86).¹

Plaintiff complained that the defendants have not responded to Plaintiff's Request for Production of Documents.² After reviewing the record, the Court finds that, with two exceptions, the defendants' responses to the Plaintiff's Request for Production of Documents are sufficient. First, it appears that the defendants

¹ Plaintiff's response to the defendants' opposition added the assertion that he also did not receive responses to his interrogatories and request for admissions sent to defendant Burl Cain. The Court will not address this assertion because in his motion the plaintiff only complained about the defendants' failure to respond to his request for production of documents.

² Record document numbers 46 and 58.

failed to provide a copy of a document requested in the plaintiff's Request for Production No. 6, *i.e.*, "plaintiff's transfer order, transferring plaintiff from L.S.P. to D.W.C.C." Defendants stated that they had requested it and would provide it upon receipt. Defendants have apparently not yet done so. Second, as to the plaintiff's assertion that he did not receive certain documents allegedly sent to him by the defendants, the Court finds it appropriate for the defendants to re-send copies of the documents identified as Attachments Nos. 4 through 9 of the defendants' responses to the Plaintiff's Request for Production of Documents.

Accordingly, the Plaintiff's Motion to Compel Discovery is GRANTED IN PART. Within 14 days from the date of this ruling, the defendants shall send to the plaintiff a copy of the "transfer order" responsive to the plaintiff in Request for Production No. 6 and a duplicate copies of Attachments Nos. 4 through 9 of the defendants' responses to the Plaintiff's Request for Production of Documents. In all other respects, the plaintiff's motion is denied.

Baton Rouge, Louisiana, December 21, 2015.


STEPHEN C. RIEDLINGER
UNITED STATES MAGISTRATE JUDGE