

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA**

**HENRY HICKSON (#369635)**

**CIVIL ACTION**

**VERSUS**

**GROOM, MASTER SGT., ET AL.**

**NO. 17-0218-SDD-EWD**

**ORDER**

Before the Court is Plaintiff's Motion for Judgment of Contempt (R. Doc. 12), wherein he complains of the failure of Defendants to provide him with initial mandatory disclosures as ordered by the Court. The Court interprets this Motion to be a Motion to Compel Discovery, to which Defendants have not responded.

Pursuant to Order dated June 7, 2017 (R. Doc. 4), the Court directed Defendants, within twenty (20) days of first appearance or within thirty (30) days of service, to file into the record and provide to Plaintiff, "all medical records, administrative remedy proceedings, disciplinary proceedings, unusual occurrence reports and all other documents pertinent to the issues in this case." A review of the record reflects that Defendants Tim Delaney and the Louisiana Department of Public Safety and Corrections were served with copies of the Summons and Complaint on June 19, 2017, and the State of Louisiana was served therewith on July 21, 2017. See R. Docs. 6 and 8. Notwithstanding, Defendants have not complied with the Court's Order within the time allowed, have not sought reconsideration of the Court's Order, and have not requested additional time within which to comply. Whereas Defendants have since filed a Motion to Dismiss in this case wherein they have asserted the defense of qualified immunity, see R. Doc. 13, that Motion was filed after the time allowed by the Court for production of the initial

documentation. It is appropriate, therefore, that Defendants be directed to provide initial disclosures in compliance with the Court's Order.<sup>1</sup> Accordingly,

**IT IS ORDERED** that Plaintiff's Motion for Judgment of Contempt (R. Doc. 12), is hereby interpreted to be a Motion to Compel Discovery and is hereby **GRANTED IN PART**, such that Defendants are directed to comply with the Court's Order of June 7, 2017 (R. Doc. 4) by providing initial disclosures to Plaintiff within fourteen (14) days of the date of this Order.

**IT IS FURTHER ORDERED** that Plaintiff's request for sanctions and/or for a Judgment of Contempt is hereby **DENIED**.

Signed in Baton Rouge, Louisiana, on October 18, 2017.

  
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**ERIN WILDER-DOOMES**  
**UNITED STATES MAGISTRATE JUDGE**

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<sup>1</sup> Whereas Plaintiff requests the imposition of monetary sanctions and/or a Judgment of Contempt because of Defendants' failure to provide the referenced initial disclosures, the Court does not find that the requested relief is warranted at this time. The delay has not been unreasonable, and Plaintiff will not be prejudiced thereby. In addition, Defendants have since explained to the Court that their delay in making an appearance in this case was inadvertent and was caused by late notification of the assignment of the case to Defendants' attorney. See R. Doc. 11.