

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RONALD KIRK BROWN,

Plaintiff,

No. 16-11837

v.

District Judge Sean F. Cox
Magistrate Judge R. Steven Whalen

STEVE RIVARD, ET AL.,

Defendants.

ORDER

Plaintiff Ronald Kirk Brown, a prison inmate in the custody of the Michigan Department of Corrections, filed a *pro se* civil rights complaint, under 42 U.S.C. § 1983, and was granted leave to proceed *in forma pauperis* (“IFP”) on May 24, 2016 [Doc. #5]. Before the Court are his motions to compel discovery [Doc. #44] and to appoint counsel [Doc. #45].

In his motion to compel discover, Plaintiff states that he sent interrogatories to various defendants but has received no response. *Docket #44*, 1, Pg ID 487. He did not state when he sent the interrogatories or provide the Court with copies of the interrogatories although he states that they are attached to the motion. *Id.* Plaintiff’s failure to “attach any actual interrogatories . . . to his motion” prevents the Court from determining whether he “fully complied with the service requirements in Federal Rules of Civil Procedure 33 and 34.” *Brown v. City of Detroit*, 2015 WL 5121122, at *2 (E.D.Mich. August 31, 2015)(Cleland, J.)(upholding denial of motion to compel where movant failed to attach the discovery requests at issue). Therefore, the motion to compel discovery will be denied without prejudice.

The Court has denied Plaintiff's previous motions to appoint counsel, *see* Doc. #27, 39 and for the reasons stated in the first order, his current request for counsel will likewise be denied without prejudice.

Accordingly, Plaintiff's motion to compel discovery [Doc. #44] and motion for appointment of counsel [Doc. #45] are DENIED WITHOUT PREJUDICE.

IT IS SO ORDERED.

s/ R. Steven Whalen

R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE

Dated: August 31, 2018

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was sent to parties of record on August 31, 2018, electronically and/or by U.S. mail.

s/Carolyn M. Ciesla

Case Manager to the
Honorable R. Steven Whalen