

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JAMEL LEON ROBINSON,

Case No. 19-10584

Plaintiff,

Stephanie Dawkins Davis

v.

United States District Judge

HANNA SAAD, et al.,

Defendants.

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**OPINION AND ORDER
OVERRULING PLAINTIFF'S OBJECTION
TO OPINION AND ORDER [ECF NO. 147]
GRANTING IN PART AND DENYING WITHOUT
PREJUDICE IN PART PLAINTIFF'S MOTION
TO COMPEL [ECF NO. 85] AND GRANTING
DEFENDANT'S MOTION TO STAY DISCOVERY [ECF NO. 86]**

Plaintiff Jamel Robinson filed this *pro se* civil rights complaint pursuant to 42 U.S.C. §1983. After initial screening of Robinson's lawsuit and subsequent motion practice, the only claims remaining in this action are Robinson's racial discrimination claims against Defendant Rambus and involuntary medical treatment claims against Defendants Lawrence and Jennifer LNU. (*See* ECF Nos. 13, 158, 163). This court referred all pretrial matters to Magistrate Judge Patti. (ECF No. 36).

On June 22, 2020, Robinson filed a motion to compel. (ECF No. 85). Plaintiff's motion requested that the court compel discovery pursuant to Fed. R. Civ. P. 34(b) and 37(a) against "the defendants." (*Id.* at PageID.1192). Robinson asserted that he served discovery on the defendants, that they failed to respond, argued that Defendants therefore waived their objections to his discovery requests, and asserted that the discovery he sought was relevant to his claims and defenses. (*Id.* at PageID.1196–1207). On July 2, 2020, former defendant Baisch¹ filed a motion to stay discovery. (ECF No. 86).

Magistrate Judge Patti issued an opinion and order on September 28, 2020 granting in part and denying without prejudice in part Robinson's motion to compel and granting Baisch's motion to stay discovery. (ECF No. 147). The order granted the motion to compel as to Defendant Rambus as unopposed, and denied the motion to compel as to the other Defendants. (*Id.* at PageID.2059). The order also struck Robinson's notices to arrange for a court reporter, (ECF Nos. 143, 144),² for failing to comport with the court's September 4, 2020 order, (ECF No. 137), requiring leave of court to file additional motions and directing the parties to

¹ This court terminated Baisch as a defendant in this matter in its opinion and order accepting and adopting Magistrate Judge Patti's December 30, 2020 R&R. (*See* ECF No. 178).

² Robinson filed the initial notice on September 4, 2020 (ECF No. 144), and filed a modified notice on September 15, 2020. (ECF No. 143).

cease filing non-conforming documents with the court. (ECF No. 147, PageID.2060).

Magistrate Judge Patti's September 28, 2020 order stated that the parties could file objections pursuant to Fed. R. Civ. P. 72(a) for consideration by the undersigned. (*Id.* at PageID.2060 n.5). Robinson filed objections on October 22, 2020. (ECF No. 159). After Robinson filed his objection, this court terminated the medical defendants and Defendants Rosen and Bennett from this matter on December 12, 2020, pursuant to its orders accepting and adopting Magistrate Judge Patti's June 26, 2020 R&R. (ECF No. 158, 163). This court has subsequently terminated Defendant Baisch as a party to this matter in its order accepting and adopting Magistrate Judge Patti's December 30, 2020 R&R. (ECF No. 178). Accordingly, Robinson's objection to the September 28, 2020 order concerning these former defendants is moot.

The remaining defendants in this action are Rambus, Lawrence, and Jennifer LNU. The September 28, 2020 order granted Robinson's motion against Defendant Rambus as unopposed. (ECF No. 147, PageID.2059). Accordingly, Robinson's objection does not concern Defendant Rambus. Robinson has not yet served Defendants Lawrence and Jennifer LNU with the summons and complaint. This is consistent with Robinson's motion for second summons, requesting that the U.S. Marshal Service reissue the summons and complaint to Lawrence and

Jennifer LNU. (*See* ECF No. 91); (*see also* ECF No. 165, discussing that Defendants Lawrence and Jennifer LNU have not yet been served). Therefore, this court cannot sustain objections as to Defendants Lawrence and Jennifer LNU. Lastly, this court concludes that Magistrate Judge Patti's September 28, 2020 order correctly struck Robinson's notices for court reporter (ECF Nos. 143, 144) for failing to follow the court's September 4, 2020 order directing the parties to seek leave of court before filing additional motions and ordering the parties to cease filing non-conforming documents. For the reasons discussed herein, the court **OVERRULES** Robinson's objection [ECF No. 159].

SO ORDERED.

Dated: March 24, 2021

s/Stephanie Dawkins Davis
HON. STEPHANIE DAWKINS DAVIS
United States District Court Judge