

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

PIERRE WATSON,)	
)	
Plaintiff,)	
)	
v.)	4:18-cv-00764-NAB
)	
ZACHARY DRISKILL, et al.,)	
)	
Defendants,)	

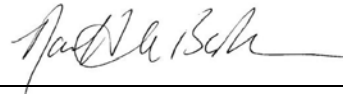
MEMORANDUM AND ORDER

This matter comes before the Court on plaintiff Pierre Watson’s motion to reconsider the Court’s order of January 22, 2020. (Docket No. 40). In that order, the Court denied plaintiff’s motion to obtain electronically stored information, as the Court had not yet issued a case management order or authorized discovery. Plaintiff’s motion to reconsider repeats his earlier request to access surveillance video. Plaintiff states his concern that the surveillance footage will be destroyed, and alleges that since defendants violated his constitutional rights, there is nothing to stop them from “committing a criminal act in order to keep from being held accountable.”

Having reviewed the motion, the Court finds that it should be denied. As stated before, the Court has not yet issued a case management order or authorized discovery in this case. Moreover, plaintiff has not presented any factual allegations, beyond his bare assertions, that defendants will improperly dispose of potential evidence. Finally, defendants are under an obligation to preserve potentially relevant evidence under their control. Any failure to preserve such evidence might lead to sanctions for spoliation of evidence. *See Greyhound Lines, Inc. v. Wade*, 485 F.3d 1032, 1035 (8th Cir. 2007).

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion to reconsider (Docket No. 41) is **DENIED**.



NANNETTE A. BAKER
UNITED STATES MAGISTRATE JUDGE

Dated this 28th day of January, 2020.