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UNITED STATES DISTRICT COURT DISTRICT OF NEVADA

2.12 ov 00422 MMD WCC

ANTHON I CROSS,) 3.13-CV-00433-WIVID-WGC
Plaintiff,) MINUTES OF THE COURT
vs.) September 14, 2015
RON JAEGER, et al.,)
Defendants)
PRESENT: THE HONORABLE WILLIAM G	. COBB, U.S. MAGISTRATE JUDGE
DEPUTY CLERK: KATIE LYNN OGDEN	REPORTER: NONE APPEARING
COUNSEL FOR PLAINTIFF(S): NONE APPE	EARING
COUNSEL FOR DEFENDANT(S): NONE AP	PEARING

MINUTE ORDER IN CHAMBERS:

ANTHONIV CDOCC

Before the court is Plaintiff's Motion Requesting Defendant to Produce the Recording of the Disciplinary Hearing as Plaintiff's Exhibit "L" in Support of Plaintiff's Motion for Summary Judgment. (ECF No. 221.)

As noted in the motion, Plaintiff previously sought production of his Disciplinary Hearing Recording (ECF No. 73). Defendant submitted a limited opposition to the production because "Plaintiff [had] failed to identify any pending motion that he wants to use the exhibit for." Defendant continued on to state that the Defendant would not object to producing the "audio CD" if Plaintiff could identify a specific motion to which the recording would apply. (ECF No. 83.)

The court agreed with Defendant's analysis. Because there was no motion or other matter pending for which the recording would be relevant, and because the court clerk cannot act as a general repository for documents, the court denied Plaintiff's motion. (ECF No. 103.)

Plaintiff's pending motion states he now requests the submission of the recording to substantiate his motion for summary judgment. He requests Defendant to produce the recording as Plaintiff's Exhibit L.

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In view of Defendant's prior statement that Defendant would not oppose a request to submit the audio CD if it pertained to a pending motion, and in view of the Plaintiff's representation that the audio CD would pertain to his motion for summary judgment, Plaintiff's motion (ECF No. 221) is **GRANTED.** Defendant shall submit the audio CD to the Clerk of the Court, marked as "Plaintiff's Exhibit L," referencing Plaintiff's motion for summary judgment (ECF No. 222) and this Order.

IT IS SO ORDERED.

LANC	EE S. WILSON, CLERK	
By:	/s/	
	Deputy Clerk	