

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

|                     |   |                                    |
|---------------------|---|------------------------------------|
| ANTHONY CROSS,      | ) | 3:13-cv-00433-MMD-WGC              |
|                     | ) |                                    |
| Plaintiff,          | ) | <b><u>MINUTES OF THE COURT</u></b> |
|                     | ) |                                    |
| vs.                 | ) | December 18, 2015                  |
|                     | ) |                                    |
| RON JAEGER, et al., | ) |                                    |
|                     | ) |                                    |
| Defendants          | ) |                                    |
|                     | ) |                                    |

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PRESENT: THE HONORABLE WILLIAM G. COBB, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: KATIE LYNN OGDEN REPORTER: NONE APPEARING

COUNSEL FOR PLAINTIFF(S): NONE APPEARING

COUNSEL FOR DEFENDANT(S): NONE APPEARING

**MINUTE ORDER IN CHAMBERS:**

This court's Order (ECF No. 269)<sup>1</sup> addressed Plaintiff's Motion to Reopen the Discovery Requests. (ECF No. 266.) The Order stated the court was not inclined to reopen discovery with regard to the Southern Desert Correctional Center OP 740 which was in effect in September 2011. (ECF No. 269 at 5-6.) However, the court stated it needed additional information about which version of SDCC OP 740 was previously provided to Plaintiff and ordered that by December 11, 2015:

(1) **Defendant** shall file a notice of the dates when the relevant version of SDCC OP 740 was provided Plaintiff, along with supporting documents pertaining thereto.

(2) **Plaintiff** shall file a notice of relevance of SDCC OP 740, including a statement outlining

- a) when he received the September 2011 version of SDCC OP 740;
- b) what substantive distinction exists between the September 2011 an October 2011 versions of SDCC OP 740 and how those distinctions, if any, impact Plaintiff's case; and,
- c) what specific new discovery Plaintiff proposes should be undertaken with respect to SDCC OP 740.

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<sup>1</sup> Refers to court's Electronic Case Filing number.

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The Order also provided that the court would calendar a discovery conference on this case after December 11, 2015.

The record in this matter reflects that Defendant Jaeger filed his Notice of Compliance with the court's order on December 10, 2015. (ECF No. 271.) Plaintiff, however, did not file a Notice of Relevance, which leaves the court to believe Plaintiff agreed with the court that there was "little substantive difference between SDCC OP 740 in effect in September 2011 versus that version which followed." Instead, Plaintiff again attempts to re-argue in his objection (ECF No. 273)<sup>2</sup> the issue this court has addressed and disposed of on multiple prior occasions, i.e., Sgt. Jaeger's status as a shift supervisor and his authority to respond to or address Plaintiff's grievances. (*see* ECF No. 269 at 1-3.) Judge Du has ruled similarly in (ECF No. 211 at 2-3.)

Therefore, Plaintiff's motion to reopen the discovery requests (ECF No. 269) is **DENIED**.

**IT IS SO ORDERED.**

LANCE S. WILSON, CLERK

By:                     /s/                      
Deputy Clerk

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<sup>2</sup> This court is addressing Plaintiff's filing only to the extent it constitutes, if at all, a substantive response to this court's order of November 30, 2015 (ECF No. 269). This court is not addressing the merits, if any, of Plaintiff's objections (ECF No. 273).