

1 **UNITED STATES DISTRICT COURT**
2 **DISTRICT OF NEVADA**

3 * * *

4 TERRANCE DAVIS,

5 Plaintiff,

6 v.

7 PICKENS, *et al.*,

8 Defendants.

Case No. 3:24-CV-00119-ART-CLB

ORDER DENYING MOTION TO COMPEL

[ECF No. 54]

9 Before the Court is Plaintiff Terrance Davis's ("Davis") motion to compel. (ECF
10 Nos. 54.) For the reasons discussed below, the motion is denied, with leave to refile.

11 Prior to filing a discovery motion, the parties must first undertake a good faith effort
12 to resolve any dispute among the parties. A discovery motion will not be considered
13 unless the movant has made a good-faith effort to meet and confer with the opposing
14 party before filing the motion. To comply with the meet and confer requirement, an
15 incarcerated party is required to send a written communication to opposing counsel or
16 party explaining, with specificity, the discovery dispute and a request to hold a telephonic
17 meet and confer session. (See ECF No. 43 at 4-5.)

18 If the meet and confer efforts are unsuccessful, the party seeking to compel
19 discovery, or a protective order, may file a discovery motion. The motion must include the
20 following: (1) a declaration providing the details and results of the meet-and-confer
21 conference about each disputed discovery request; and (2) the full text of each discovery
22 request and disputed response at issue. (*Id.*)

23 Davis's motion is improper for several reasons. As discussed above, discovery
24 motions will not be considered if a meet and confer has not taken place prior to a
25 discovery motion being filed. Here, it is unclear if the parties met and conferred prior to
26 the filing of the motion, as Davis does not include a declaration providing the details and
27 results of the meet-and-confer conference. Additionally, while Davis asserts that
28 Defendants have failed to respond to interrogatories and requests for production of

1 documents, he does not provide the full text of each discovery request and the disputed
2 response at issue. Therefore, the Court cannot discern what specific discovery Davis
3 seeks to compel.

4 Accordingly, Davis's motion to compel, (ECF No. 54), is **DENIED**, with leave to
5 refile. If Davis chooses to refile his motion to compel, he is advised that he must comply
6 with all the requirements set forth above.

7 **IT IS SO ORDERED.**

8 **DATED:** March 6, 2025

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10 UNITED STATES MAGISTRATE JUDGE
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