

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

No. 7:23-CV-1616-FL

RAYMOND A. JETT, JR., *et al.*,

Plaintiffs,

v.

AJ WOODARD, *et al.*,

Defendants.

ORDER

This matter is before the court on *pro se* Plaintiff Raymond Jett's motion to compel discovery and for sanctions. [DE-38]. No responses were filed, and the time to do so has expired. For the reasons that follow, the motion to compel is denied.

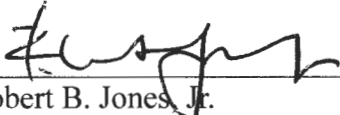
Jett asserts that on May 31, 2024, he served Defendants Woodard and Parker, by mail sent to their address of record with the court, with a first set of interrogatories and that neither Defendant responded, the time to do so having now expired. [DE-38] at 1–2. Jett asks the court to compel Defendants to respond to the interrogatories within ten days and does not specify any sanctions sought. *Id.* at 3.

In a prior related order addressing Jett's motion to require Defendant Woodard to disclose his address, the court observed that Jett's exhibits demonstrated that he incorrectly addressed the envelope containing the discovery requests for Woodard. [DE-39]. Jett provided a copy of the envelope that was returned to sender, and it bears the address "P.O. Box – 2012" rather than the address listed in Woodard's address notice, which is P.O. Box 2102. *Compare* [DE-30], *with* [DE-36-1] at 3. Accordingly, the court cannot find that Woodard was properly served with the interrogatories, and the motion to compel is denied as to Woodard.

As for Defendant Parker, Jett asserts that he served Parker with the interrogatories by mail to his mailing address, which matched the one on file with the court at the time, and the certificate of service reflects that Parker was also served at his address of record with a copy of the motion to compel. However, Parker has since filed a Change of Address alerting the court that he moved from that address and will receive his mail going forward at a P.O. Box. [DE-40-2]. Accordingly, in an abundance of caution, the court cannot conclude that Parker was served with the interrogatories, and the motion to compel is denied as to Parker.

Jett may re-serve the interrogatories on Defendants at the current address, and Defendants are reminded of their obligation to participate in discovery.

So ordered, this the 29th day of August, 2024.



Robert B. Jones, Jr.
United States Magistrate Judge