

**DISTRICT COURT OF THE UNITED STATES  
WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:16-cv-267-FDW**

**WILEY DALLAS JOHNSON,** )  
 )  
 **Plaintiff,** )  
 )  
 **vs.** )  
 )  
 **NC DEPARTMENT OF PUBLIC** )  
 **SAFETY, et al.,** )  
 )  
 **Defendants.** )  
 \_\_\_\_\_ )

**ORDER**

**THIS MATTER** is before the Court on *pro se* Plaintiff’s “Affidavit of Fact(s) with Request to Suepena Records/Expedeate Case,” (Doc. No. 32).

Plaintiff has filed a *pro se* civil rights case pursuant to 42 U.S.C. § 1983. The case passed initial review as to several Defendants and claims, and the answer is due on April 24, 2008. See (Doc. Nos. 18, 31). In his present pleading, Plaintiff appears to ask the Court to assist him in obtaining discovery and to expedite the case.

To the extent that Plaintiff seeks discovery, the motion is premature. See Fed. R. Civ. P. 26(c) (as a general matter, a party must make initial disclosures at or within 14 days after the parties Rule 26(f) conference); Local Rule 26.1 (“Official Court-ordered and enforceable discovery does not commence until issuance of the scheduling order.”). Moreover, routine discovery requests should not be filed with the Court. See Local Rule 26.2 (“The parties shall not file any initial disclosures, designations of expert witnesses and their reports, discovery requests or responses therto, deposition transcripts, or other discovery material unless: (1) directed to do so by the Court; (2) such materials are necessary for use in an in-court proceeding; or (3) such

materials are filed in support of, or in opposition to, a motion or petition.”).

As to Plaintiff’s motion to expedite the case, his request is denied and the case will proceed in due course.

**IT IS, THEREFORE, ORDERED that:**

Plaintiff’s “Affidavit of Fact(s) with Request to Suepena Records/Expedeate Case,” (Doc. No. 32), is **DENIED**.

Signed: March 6, 2018



Frank D. Whitney  
Chief United States District Judge

