

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:17-cv-00097-FDW**

JAY JUNIOR AIKEN,)
)
 Plaintiff,)
)
 vs.)
)
 LINDA LEE,)
)
 Defendant.)
 _____)

ORDER

THIS MATTER is before the Court on “Plaintiff’s Request for Nominal Damages, Compensatory Damages and Punitive Damages Because of Being Hurt on Purpose By Defendants,” which the Court construes as a motion for miscellaneous relief. [Doc. 32].

The Plaintiff filed the instant motion on March 11, 2019. Despite the caption of the motion, it appears the Plaintiff is seeking an order from the Court compelling Sheriff Chip L. Hall, no longer a party to this action, to produce “all video of Mr. Aiken with all requested documents in conjunction to [h]is filing of 42 U.S.C. § U.S.C. Civil Suit Action.” Plaintiff also requests “to allow discovery to continue” and an “open Court trial with the public media to broadcast the trial in conjunction to all information added to [h]is Complaint.” [Doc. 32 at 1].

As to the Plaintiff’s request for the Court to order Mr. Hall to produce certain video footage, the Court will deny this motion. Plaintiff has filed a motion to compel certain discovery from Defendants, together with the discovery requests he had served on Defendants. [Doc. 33]. It does that Plaintiff requested that any video footage in these requests. [See *id.*]. Plaintiff must seek discovery from the party or individual directly rather than filing motions with the Court. Plaintiff’s motion for the Court to order Mr. Hall to produce video footage is, therefore, denied.

As to Plaintiff's request "for discovery to continue," the Court has held the May 15, 2019 discovery deadline in abeyance by separate Order. [Doc. 34]. As such, the Court will deny Plaintiff's request as moot.

As for Plaintiff's request for an "open Court trial" broadcast by the media, the Court has no authority to command the media to be present to broadcast Plaintiff's trial. Should Plaintiff's case proceed to trial, Plaintiff may renew his motion to allow media access inside the courtroom at that time.

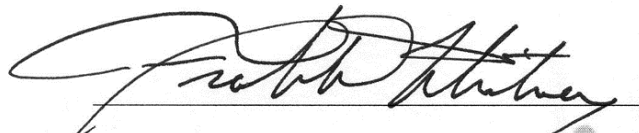
IT IS, THEREFORE, ORDERED that:

- (1) Plaintiff's motion for discovery from Sheriff Chip Hall [Doc. 32] is **DENIED**.
- (2) Plaintiff's motion for discovery to continue [Doc. 32] is **DENIED** as moot.
- (3) Plaintiff's motion for an open trial [Doc. 32] is **DENIED WITHOUT PREJUDICE**

in accordance with the terms of this Order.

IT IS SO ORDERED.

Signed: June 6, 2019


Frank D. Whitney
Chief United States District Judge 