

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:11-cv-220-RJC

JORGE GALEAS, JR., )  
(also known as "Jorge Gevara") )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
WILLIAM HORNE et al., )  
 )  
Defendants. )  
\_\_\_\_\_ )

ORDER

**THIS MATTER** is before the Court on Plaintiff’s “Motion for Request for Production of Documents,” (Doc. No. 34). In the motion, Plaintiff seeks discovery of various documents from Defendants. The Court will Order the motion stricken, as the Federal Rules of Civil Procedure provide that requests for documents “must not be filed until they are used in the proceeding or the court orders filing[.]” FED. R. CIV. P. 5(d)(1). Thus, Plaintiff may serve his discovery requests on Defendants, but there is no need to file a “motion” for discovery with the Court when seeking discovery from Defendants.

**IT IS, THEREFORE, ORDERED** that Plaintiff’s “Motion for Request for Production of Documents,” (Doc. No. 34), is **STRICKEN**.

Signed: April 26, 2012



Robert J. Conrad, Jr.  
Chief United States District Judge

