

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:13-CV-159-FDW-DCK

JEFFREY RANDOLPH WATTERSON and
RANDOLPH ALEXANDER WATTERSON,
Plaintiffs,
v.
WOODY BURGESS, et al.,
Defendants.

ORDER

THIS MATTER IS BEFORE THE COURT on Plaintiffs' "Motion For Production Of Documents From Government" (Document No. 10) filed June 12, 2013. This motion has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b), and immediate review is appropriate. Having carefully considered the motion, the record, and applicable authority, the undersigned will deny the motion, without prejudice.

Pursuant to the Local Rules of this Court:

While the parties may engage in consensual discovery at any time, Court enforceable discovery does not commence until issues have joined and a Scheduling Order is entered. If a party believes that early court sanctioned discovery is warranted, such party may file a motion for leave to take early discovery therein showing good cause.

Local Rule 16.1 (F).

In this case, a "Pretrial Order and Case Management Plan" has yet to be entered, nor does it appear that Defendants have been served a copy of the Complaint. As such, Plaintiffs' motion to compel is premature.

IT IS, THEREFORE, ORDERED that Plaintiffs' "Motion For Production Of Documents From Government" (Document No. 10) is **DENIED WITHOUT PREJUDICE**.

Signed: June 13, 2013



David C. Keesler
United States Magistrate Judge

