

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:14-cv-651-FDW**

CHRISTOPHER OXENDINE-BEY,)
)
 Plaintiff,)
)
 vs.)
)
)
 JOHN MITCHELL, et al.,)
)
 Defendants.)
 _____)

ORDER

THIS MATTER comes before the Court on Plaintiff’s Motion to Compel Production of Documents, (Doc. No. 11), and on Plaintiff’s Motion for Admissions, (Doc. No. 12). In support of such motions, Plaintiff seeks various forms of discovery from Defendants.

Plaintiff’s motions will be denied as premature because discovery has not commenced in this action. Summonses were issued to the U.S. Marshals Service for service on Defendants on May 18, 2015, and the summonses have not been returned to the Court. Plaintiff is advised that discovery in this action does not commence until after Defendants have been served and answered or otherwise responded to the Complaint, and after the Court has entered a Pretrial Order and Case Management Plan in this matter setting forth deadlines for discovery and dispositive motions. Moreover, once discovery commences, Plaintiff must seek discovery from Defendants directly rather than filing motions with the Court.

IT IS THEREFORE ORDERED THAT:

(1) Plaintiff's Motion to Compel Production of Documents, (Doc. No. 11), and Plaintiff's Motion for Admissions, (Doc. No. 12), are **DENIED** as premature.

Signed: June 4, 2015

A handwritten signature in black ink, appearing to read "Frank D. Whitney", written over a horizontal line.

Frank D. Whitney
Chief United States District Judge

