

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

RICHARD L. QUINN, JR.,

Plaintiff,

v.

Civil Action 2:11-cv-00268

Judge James L. Graham

Magistrate Judge E.A. Preston Deavers

ROBIN KNAB, WARDEN,

Defendant.

ORDER

Plaintiff, Richard L. Quinn, Jr., has filed his request for production of documents. (ECF No. 14.) The Court has not ordered Plaintiff to file his document requests. Moreover, Plaintiff has not utilized his document requests in a court proceeding. Plaintiff has thus filed this document in violation of Federal Rule of Civil Procedure 5(d)(1). Rule 5(d)(1) provides in pertinent part:

[D]isclosures under Rule 26(a)(1) or (2) and the following discovery requests and responses must not be filed until they are used in the proceeding or the court orders filing: depositions, interrogatories, requests for documents or tangible things or to permit entry onto land, and requests for admission.

Fed. R. Civ. P. 5(d)(1). The Court therefore **STRIKES** Plaintiff's discovery documents. (ECF No. 14.) Additionally, the Court **DIRECTS** Plaintiff to cease filing his discovery requests unless and until they are used in a proceeding or the Court orders otherwise. The Court notes, however, that striking this document from docket "does not prevent [it] from being effective." *Valente v. Univ. of Dayton*, No. 2009 WL 2132631, at *1 (S.D. Ohio, July 13, 2009). Instead,

the purpose of Rule 5(d)(1) and of striking the documents is maintain an orderly docket and “to avoid crowding the clerks’ offices with bulky discovery documents in the time before electronic filing.” *Id.*

IT IS SO ORDERED.

Date: April 28, 2011

/s/ Elizabeth A. Preston Deavers

Elizabeth A. Preston Deavers
United States Magistrate Judge