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UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

MARK ANTHONY ZAVALA,	§	
	§	
Plaintiff,	§	
v.	§	**CIVIL ACTION NO.**
	§	
JOHN WHITMIRE, Senator;	§	**SA-10-CV-0611 FB (NN)**
BRYAN COLLIER, Division Director, Parole Division;	§	
BRAD LIVINGSTON, Executive Director, TDCJ;	§	
NORMA GREENFIELD, Region IV Director,	§	
	§	
Defendants.	§	

ORDER DENYING MOTION TO PRODUCE (DOCKET ENTRY 11)

The matter before the Court is plaintiff's motion to produce documents (docket entry 11).

The defendants from whom plaintiff has requested production have not yet been served. The Federal Rules of Civil Procedure provide a mechanism for the parties to exchange information relevant to their dispute without court involvement. Only when a party refuses to produce relevant information is a motion to compel production properly presented to the Court for resolution. **See** Federal Rules of Civil Procedure 26 to 37.

Accordingly, the motion to produce is DENIED as prematurely filed. If, after plaintiff requests defendants produce the listed documents and other matters, defendants refuse or object to the request, plaintiff can then file a motion to compel production.

SIGNED on September 27, 2010.

Nancy Stein Nowak

NANCY STEIN NOWAK
UNITED STATES MAGISTRATE JUDGE

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