

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

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|---|---|---------------------------------------|
| HASSIN HUBBERT, |) | Civil Action No. 7:14-cv-00530 |
| Plaintiff, |) | |
| |) | |
| v. |) | <u>ORDER</u> |
| |) | |
| G. K. WASHINGTON, <u>et al.</u>, |) | By: Hon. Robert S. Ballou |
| Defendants. |) | United States Magistrate Judge |

This matter is before the court upon pro se plaintiff Hassin Hubbert’s motion to compel discovery and motion for an extension of time to review the requested discovery before responding to defendants’ motion for summary judgment. A protective order based on qualified immunity was already entered in this case before Plaintiff filed the motion to compel, and none of Plaintiff’s discovery requests warrant amending the protective order to permit discovery before the court resolves the issue of qualified immunity. See, e.g., Anderson v. Creighton, 483 U.S. 635, 646 n.6 (1987); Holland ex rel. Overdorff v. Harrington, 268 F.3d 1179, 1185 (10th Cir. 2001). Accordingly, Plaintiff’s motion to compel is **DENIED**, and Plaintiff’s motion for an extension is **GRANTED** to the extent he has fourteen days from the entry of this order, to respond to defendants’ motion for summary judgment.

The Clerk shall send copies of this Order to the parties.

It is so **ORDERED**.

Enter: January 29, 2016

1st Robert S. Ballou

Robert S. Ballou
United States Magistrate Judge