

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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DEBRADRE D. JACKSON,

Plaintiff,

v.

Case No. 16-cv-1584-pp

ROBIN DIEBOLD, *et al.*,

Defendants.

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**DECISION AND ORDER DENYING THE PLAINTIFF’S MOTION TO COMPEL  
(DKT. NO. 17)**

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The plaintiff filed a motion to compel the defendants to produce photographs of prison common areas and unredacted versions of certain documents. Dkt. No. 17. A party may file a motion to compel where another party fails to respond to interrogatories or requests for production of documents. See Fed. R. Civ. P. 37(a)(3)(B)(iii) and (iv). The movant “must include a certification that the movant has in good faith conferred or attempted to confer with the person or party failing to make disclosure or discovery in an effort to obtain it without court action.” Fed. R. Civ. P. 37(a)(1).

In this case, the plaintiff does not indicate whether he attempted to confer with the defendants before he filed his motion to compel. He also does not attach any proof showing that he tried to resolve these issues with defense counsel before filing the motion. Because the plaintiff did not comply with the requirements of Rule 37, the plaintiff’s motion is premature. The court will deny the motion to compel discovery without prejudice.

The court advises the plaintiff that he should serve discovery requests directly on the defendants. Fed. R. Civ. P. 5(d)(1). The plaintiff should not file his discovery requests with the court. See id.; see also Dkt. No. 15.

The court **DENIES WITHOUT PREJUDICE** the plaintiff's motion to compel. Dkt. No. 17.

Dated in Milwaukee, Wisconsin this 18th day of July, 2017.

**BY THE COURT:**

A handwritten signature in black ink, appearing to be 'P. Pepper', written over a horizontal line.

**HON. PAMELA PEPPER**  
**United States District Judge**