

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

KATHRYN MINER, on behalf of
CALVIN SMITH (son),

Plaintiffs,

v.

STATE OF WISCONSIN DEPARTMENT OF CORRECTIONS
and CATHY JESS, Secretary,

Defendants.

ORDER

17-cv-734-bbc

Pro se plaintiff Kathryn Miner is proceeding in this case on a claim that she has been barred from visiting her incarcerated son, Calvin Smith, in violation of the Americans with Disabilities Act and Rehabilitation Act. Now before the court is plaintiff’s motion to compel. Dkt. #14. Plaintiff states that she served discovery requests on defendants in June 2018, requesting defendants to produce, among other things, (1) any document in which Mark Weisgerber explained to plaintiff that she could visit her son; (2) any document providing a definition of mental or physical impairment that differs from that stated in the Code of Federal Regulations; and (3) medical or scientific evidence showing that it is acceptable for a person with a pacemaker to go through a medical detector or hand-held wand despite a medical provider’s contrary advice. Defendants object to plaintiff’s motion, stating that they responded to plaintiff’s discovery requests on September 20, 2018. Dkt. #15.

Plaintiff did not file a reply brief in support of her motion to compel, so it is not clear whether she still believes defendants have failed to respond to all of her discovery requests. After reviewing defendants' discovery responses, dkt. #15-1, I see nothing obviously inadequate or improper about the responses. With respect to the specific requests identified in plaintiff's motion to compel, defendants responded that they have no documents responsive to the requests and that the Code of Federal Regulations speaks for itself. Plaintiff has provided no reason for me to doubt the truthfulness of defendants' responses. Accordingly, I will deny plaintiff's motion to compel.

ORDER

IT IS ORDERED that plaintiff Kathryn Miner's motion to compel, dkt. #14, is DENIED.

Entered this 2d day of January, 2019.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge