

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

GARY B. CAMPBELL,

Plaintiff,

v.

CAPTAIN NYKLEWICK and
CAPTAIN PARADISE,

Defendants.

ORDER

05-C-481-C

Plaintiff has filed a document entitled “Motion for Discovery and Production of Documents.” *See* dkt. 16. Plaintiff is seeking what appears to be a fairly routine set of documents. It is not clear from his motion whether he sought these documents from the defendants and was rebuffed by their attorney, or whether he bypassed the defendants and sought them directly from the sheriff. Because defendants did not respond to the motion (perhaps because it was not aimed directly at them), I do not have a clear sense of how we got to this point.

But I do have a clear sense of what’s going to happen next: counsel for defendants is going to produce the documents requested in plaintiff’s requests for production Nos. 1-7 (as numbered in the motion) and produce the documents responsive to RFPs Nos. 8 & 9 in redacted form, disclosing to plaintiff only the entries relevant to his claims. All of these requested documents appear to be relevant to the issues to be tried in this case. Obviously,

it would be improper for any governmental organization (such as a sheriff's department) or its employees to whipsaw a prisoner plaintiff's legitimate discovery demands in any misguided effort to thwart or delay discovery.

Because I am confident that a clearer presentation of the facts would have established that no such discovery games are being played here, I see no need for a court order at this time. I am equally confident that defendants and their attorney, now that obligations to respond are clearer, promptly will disclose the requested documents.

Accordingly, I am denying plaintiff's motion for discovery without prejudice on the ground that it is premature.

Entered this 27th day of February, 2006.

BY THE COURT:
/s/
STEPHEN L. CROCKER
Magistrate Judge