

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

COREY PALMS,

Plaintiff,

v.

MEMORANDUM

07-C-44-C

SANDRA SITZMAN, Health
Service Manager or Active Supervisor;
and JOHN DOES, Nurses-prison
official, individually and in their
official capacities,

Respondents.

Plaintiff has submitted for filing in this case a copy of a request for production of documents he mailed to defendants. Plaintiff's attention is directed to page 10, paragraph 3 of the magistrate judge's preliminary pretrial conference order dated March 22, 2007, in which he states, "The court does not want the parties to file their discovery material with the court, *except to support some other matter in this lawsuit*, such as summary judgment motion." No party has filed a motion for summary judgment or any other motion requiring the submission of plaintiff's discovery request. Indeed, the only time it would be appropriate for plaintiff to file a request for production of documents with the court would be if

defendants failed to respond to the request and plaintiff were to file a motion to compel discovery. In that instance, the court would want to see what plaintiff had asked for in his request so that a determination could be made whether defendants' failure to respond in the manner plaintiff wished warranted entry of an order granting the motion to compel. Because that is not the situation here, plaintiff was not in compliance with the preliminary pretrial conference order when he submitted it to the court. Therefore, the document will be placed in the file, but no consideration will be given to it.

Entered this 12th day of April, 2007.

BY THE COURT:
/s/
BARBARA B. CRABB
District Judge