

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

CHAD GOETSCH,

Plaintiff,

v.

DR. LAETITIA LEY,
DR. MIKE VANDENBROOK and
DR. RUBIN-ASH,

Defendants.

ORDER
09-cv-228-bbc

Plaintiff is proceeding on an Eighth Amendment claim that the defendants were deliberately indifferent to his serious mental health needs. Plaintiff has moved to compel production of certain documents, namely “the alleged document from WRC in 2003 with accusations of malingering”; Dr. Baldenero’s psychiatric reports and diagnosis while at WRC; and “the document that got me transferred from SMCI/WSPF to WRC for mental illness. *See* Dkt. 74.

Defendants correctly point out, plaintiff’s motion to compel is premature because he has not yet sought these documents in a request for production under Fed. R. Civ. P. 34. Therefore, the motion to compel is DENIED without prejudice.

Defendants should consider plaintiff’s motion dated August 31, 2010 as his request for production of documents and respond accordingly.

Entered this 7th day of September, 2010.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge