

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

SALAAM JOHNSON,

Plaintiff,

v.

LIEUTENANT PRIMMER, LIEUTENANT
HANFELD, ELLEN K. RAY (ICE), and
GARY BOUGHTON (Deputy Warden/ICE),

Defendants.

ORDER

10-cv-316-slc

Plaintiff Salaam P. Johnson is proceeding in this case on his First Amendment claims that he was denied electronics for 65 days and retaliated against for using the inmate complaint review system. Now before the court is plaintiff's motion to compel discovery. Dkt. 37.

Requests for Admissions

Defendants objected to admitting or denying plaintiff's Requests for Admissions 1 and 2(b). The first request asks defendants to admit that documents submitted with his request be authenticated, but he does not attach any documents. Request 2(b) asks that defendants "admit" the Department of Corrections Policy and Procedure Manual and the American Correctional Association standards. This isn't really a request for defendants to admit anything, it is a request for defendants to produce documents. Defendants agree that they will provide responsive documents if plaintiff clarifies this request to confirm this is what he really wants.

Interrogatories

Plaintiff's first interrogatory states: "Were the defendants required to operate within the frame of legislative Rule DOC 310.16(6)?" His second interrogatory states: "If so, produce the ICE-p/a Position and Description, Knowledge and Skills Requirements." Although defendants objected to the form of these interrogatories, they provided the responsive documents.

Interrogatories 3 and 4 ask for the policies and procedures under which defendants operate. Defendants object because plaintiff fails to specify which policies and procedures he seeks. Plaintiff can re-submit a specific request and defendants will respond.

In interrogatory 5, plaintiff asks if defendants were obligated to uphold the Constitution. Defendants object to the lack of specificity of this response. Further, this interrogatory is argumentative and it seeks a legal conclusion.

Conclusion

Defendants have adequately responded to plaintiff's appropriate discovery requests and they have agreed to supplement their responses if plaintiff clarifies his requests. Therefore, plaintiff's motion to compel will be denied.

ORDER

IT IS ORDERED that plaintiff Salaam Johnson's motion to compel, dkt. 37, is DENIED.

Entered this 7th day of February, 2011.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge