

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
INDIANA, SOUTH BEND DIVISION

Timothy Marcus Mayberry v. Nate Pulley, et al.

Mayberry · No. 3:23-CV-1023-TLS · Decided March 2, 2026

SUMMARY

The United States District Court for the Northern District of Indiana addressed Timothy Marcus Mayberry's third motion to compel discovery, a motion for law library access, and related requests for sanctions and to strike. The court partially granted the motion to compel by ordering the Aramark defendants to provide paper copies of discovery produced on DVD, denied the remaining discovery requests without prejudice or on other grounds, denied law library access, denied sanctions and the motion to strike, and set a dispositive-motion deadline.

CASE DETAILS

COURT	United States District Court for the Northern District of Indiana, South Bend Division
WRITING FOR THE COURT	Theresa L. Springmann
JURISDICTION	United States District Court for the Northern District of Indiana, South Bend Division
DECIDED	March 2, 2026
DOCKET	3:23-CV-1023-TLS
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved to compel discovery responses, requested paper copies of discovery produced on DVD, sought additional law-library access, and opposed defendants' requests for sanctions and to strike his reply.
STANDARD OF REVIEW	The court reviewed discovery matters under Federal Rule of Civil Procedure 26(b)(1) and exercised broad discretion over the scope and management of discovery.
PRECEDENTIAL VALUE	Nonprecedential district court opinion and order
PARTIES	Timothy Marcus Mayberry v. Nate Pulley, George Payne, William Hyatte, Christina Reagle, Robert Carter, Jr., Aramark Corporation

TOPICS

discovery dispute

civil procedure

sanctions

prisoners rights

civil rights

PRACTICE AREAS

Civil procedure

Prisoner civil rights

Discovery

QUESTIONS PRESENTED

1. Whether Mayberry was entitled to paper copies of supplemental discovery produced on DVD.
2. Whether Mayberry should receive an additional opportunity to move to compel responses to specified requests for production after reviewing the supplemental discovery.
3. Whether the State defendants were required to produce documents allegedly in Aramark's possession in response to Request No. 2.
4. Whether requests for financial information relevant to punitive damages should be denied without prejudice to renewal after summary judgment.
5. Whether Mayberry was entitled to additional law-library access.
6. Whether sanctions or striking Mayberry's reply were warranted.

HOLDINGS

1. Discovery may encompass any nonprivileged matter relevant to a claim or defense and proportional to the needs of the case, and the court has broad discretion to determine and manage its scope.
2. The Aramark defendants were required to serve Mayberry with paper copies of discovery that they had provided to him by DVD.
3. Mayberry was denied an additional opportunity to file a motion to compel concerning the specified requests because he had lacked diligence in reviewing the supplemental discovery.
4. The court denied the motion to compel as to Request No. 2 because Mayberry had not shown that the State defendants had control over materials in Aramark's possession, and the court was not required to order duplicative production.
5. The request for financial information was denied without prejudice to renewal if Mayberry's claims survived summary judgment.
6. Neither party's arguments warranted sanctions, and Mayberry's reply would not be stricken because allowing it to remain on the docket would not prejudice the State defendants.

KEY QUOTATIONS

"Parties may obtain discovery regarding any nonprivileged matter that is relevant to any party's claim or defense and proportional to the needs of the case." (at 1)

"Information within this scope of discovery need not be admissible in evidence to be discoverable." (at 1)

"The court does not find that either party's arguments warrant sanctions." (at 5)

FACTUAL BACKGROUND

Mayberry is incarcerated and proceeds without counsel on Eighth Amendment damages claims against prison officials and Aramark concerning allegedly spoiled food and inadequate nutrition provided from November 2021 through April 2022. Aramark produced supplemental discovery on DVD, and Mayberry claimed he could not adequately access or review it and therefore sought paper copies and leave to file another motion to compel. He also sought additional law-library access and challenged the State defendants' position concerning documents in Aramark's possession.

PROCEDURAL HISTORY

Mayberry, a pro se prisoner, filed Eighth Amendment claims for damages concerning nutritionally inadequate and spoiled food at Miami Correctional Facility. He served requests for production, filed multiple motions to compel, and received supplemental discovery responses from both groups of defendants. The court previously partially granted an earlier motion to compel and vacated the dispositive-motion deadline to resolve remaining discovery issues. On the present third motion to compel, the court partially granted and partially denied relief, ordered paper copies of DVD-produced discovery, denied additional law-library access, denied the motion to strike and sanctions requests, and set a new dispositive-motion deadline.

DISPOSITION

other

CASES CITED

- Scott v. Edinburg, 101 F. Supp. 2d 1017, 1021 (N.D. Ill. 2000)
- Spiegla v. Hull, 371 F.3d 928, 944 (7th Cir. 2004)
- Seah Chee Wei v. Rocky Point Int'l LLC, No. 16-CV-1282, 2017 WL 3911585, at *1 (E.D. Wis. Sept. 6, 2017)
- Engel v. Town of Roseland, No. 3:06-CV-430, 2007 WL 2020171, at *2 (N.D. Ind. July 6, 2007)
- Henderson v. Zurn Indus., Inc., 131 F.R.D. 560, 567 (S.D. Ind. 1990)

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