

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
MICHIGAN, SOUTHERN DIVISION

Janella Smart v. The Professional Group

Smart · No. 4:25-cv-11833 · Decided March 4, 2026

SUMMARY

The United States District Court for the Eastern District of Michigan addresses five plaintiff letter requests seeking leave to file additional motions and strikes an unauthorized, repetitive motion for a preliminary protective order. The court grants leave to file an amended in forma pauperis application and a motion to seal, denies the other requests, and reiterates restrictions on further filings, discovery extensions, and supplementation of the record.

CASE DETAILS

COURT	United States District Court for the Eastern District of Michigan, Southern Division
WRITING FOR THE COURT	Anthony P. Patti
JURISDICTION	United States District Court for the Eastern District of Michigan
DECIDED	March 4, 2026
DOCKET	4:25-cv-11833
DISPOSITION	other
PROCEDURAL POSTURE	The magistrate judge issued an order addressing five letter requests by Plaintiff for leave to file additional motions and striking an unauthorized and repetitive motion.
PRECEDENTIAL VALUE	unpublished district court order
PARTIES	Janella Smart v. The Professional Group, a subsidiary of Belfor

TOPICS

- discovery dispute
- sanctions
- waiver
- civil procedure
- appellate procedure

PRACTICE AREAS

- civil procedure
- discovery

QUESTIONS PRESENTED

1. Whether Plaintiff should be granted leave to file the proposed additional motions and notices.
2. Whether Plaintiff's unauthorized fourteen-page motion for a preliminary protective order should be stricken for violating the Court's prior filing restrictions and repeating previously denied discovery requests.
3. Whether Plaintiff could supplement the record merely to preserve matters for appeal.

HOLDINGS

1. The Court granted Plaintiff leave to file an amended application to proceed in forma pauperis and a motion to seal ex parte.
2. A separate notice of no expert disclosure was unnecessary; the absence of an expert designation was sufficient and was noted in the record.
3. Leave was unnecessary because a pending motion inherently requests a ruling, and the Court had already scheduled a hearing on two pleading-related motions.
4. Leave to file a motion to extend discovery was denied because Plaintiff gave no explanation establishing a need for the extension and the case history indicated extraordinary efforts to delay or impede discovery.
5. The fourteen-page motion was stricken because it violated the prior order requiring a one-page leave request, was filed without leave, repeated previously rejected discovery challenges, and conflicted with existing discovery orders.
6. Plaintiff was not entitled to supplement the record merely to place materials on the docket for perceived appellate usefulness; the request was denied.

KEY QUOTATIONS

“constitutes a waiver of any objection.” (PageID.839)

“Parties are not entitled to simply plow whatever they want into the record “for appellate preservation” and are not entitled to simply file items on the docket that they perceive as being helpful to their case just to add them to the record.” (PageID.902)

FACTUAL BACKGROUND

Plaintiff had filed numerous documents, leading the Court to restrict further filings and require prior leave through one-page letters. Shortly thereafter, Plaintiff sought leave to file an amended in forma pauperis application, a motion to seal, notices concerning expert disclosures, a motion concerning rulings, a motion to extend discovery, and a motion to supplement the record. The Court relied on Plaintiff's history of resisting discovery, delaying proceedings, and repeatedly raising issues concerning discovery and medical or counseling records.

PROCEDURAL HISTORY

The Court had previously prohibited Plaintiff from filing anything further without prior leave and imposed a one-page letter requirement for seeking leave to file motions. Plaintiff then submitted five letter requests and an

unauthorized fourteen-page motion. The Court granted two requests, denied the remaining requests, and struck the unauthorized motion.

DISPOSITION

other

CASES CITED

- *Lairy v. Detroit Med. Ctr.*, No. 12-11668, 2012 U.S. Dist. LEXIS 152972, 2012 WL 5268706, at *1 (E.D. Mich. Oct. 23, 2012)

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