

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
PENNSYLVANIA

Jamal Bennett v. Thomas Heap

Bennett · No. 4:25-CV-1349 · Decided January 14, 2026

SUMMARY

The United States District Court for the Middle District of Pennsylvania granted motions to quash subpoenas served by the plaintiff in a pro se civil rights action. The court deferred further discovery without prejudice until resolving the pending potentially dispositive motion to dismiss.

CASE DETAILS

COURT	United States District Court for the Middle District of Pennsylvania
WRITING FOR THE COURT	Martin C. Carlson
JURISDICTION	United States District Court for the Middle District of Pennsylvania
DECIDED	January 14, 2026
DOCKET	4:25-CV-1349
DISPOSITION	other
PROCEDURAL POSTURE	In a pro se § 1983 action, the plaintiff served discovery subpoenas while the defendant's potentially dispositive motion to dismiss was pending. The defendant and the court's President Judge moved to quash the subpoenas. The magistrate judge granted the motions to quash without prejudice to renewed discovery after resolution of the motion to dismiss.
STANDARD OF REVIEW	Discovery rulings, including rulings concerning the timing and scope of discovery and protective orders, are reviewed for abuse of discretion. Discovery rulings by magistrate judges receive substantial deference and generally are reversible only for abuse of discretion.
PRECEDENTIAL VALUE	Unknown; memorandum and order from a federal district court

TOPICS

- discovery dispute
- motions to dismiss
- section 1983
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the court should quash or defer discovery subpoenas while a potentially dispositive motion to dismiss is pending.
2. Whether discovery may be stayed or delayed when the pending dispositive motion appears to have substantial grounds or is not facially without legal foundation.

HOLDINGS

1. A district court may defer or stay further discovery while it considers a potentially dispositive pretrial motion when the motion appears to have substantial grounds or does not appear to be without foundation in law.
2. Rulings concerning the scope, timing, and conduct of discovery are committed to the sound discretion of the district court and will be disturbed only for an abuse of discretion.

KEY QUOTATIONS

“A stay of discovery is appropriate pending resolution of a potentially dispositive motion where the motion ‘appear[s] to have substantial grounds’ or, stated another way, ‘do[es] not appear to be without foundation in law.’” (Memorandum and Order, Discussion)

“Briefly deferring discovery in such a case, while the court determines the threshold issue of whether a complaint has sufficient merit to go forward, recognizes a simple, fundamental truth: parties who file motions that may present potentially meritorious and dispositive legal issues in civil actions should not be put to the time, expense, and burden of additional factual discovery for themselves and others until after these legal issues are addressed by the court.” (Memorandum and Order, Discussion)

FACTUAL BACKGROUND

Bennett, a state inmate proceeding pro se, brought a civil-rights action against the Clerk of Courts/Prothonotary for the Court of Common Pleas of Lycoming County. A motion to dismiss was pending and could potentially dispose of the action. Despite that motion, Bennett served subpoenas on the defendant and the court's President Judge, prompting motions to quash.

PROCEDURAL HISTORY

Jamal Bennett filed a civil-rights action against the Clerk of Courts/Prothonotary for the Court of Common Pleas of Lycoming County. While the defendant's motion to dismiss remained pending, Bennett began discovery and served subpoenas on the defendant and the President Judge. The court granted motions to quash and deferred further discovery until it determined which, if any, claims survived the motion to dismiss.

DISPOSITION

other

REMAND INSTRUCTIONS

The motions to quash were granted without prejudice to renewal of discovery, if necessary, after resolution of the pending motion to dismiss.

CASES CITED

- DiGregorio v. First Rediscount Corp., 506 F.2d 781, 788 (3d Cir. 1974)
- Wisniewski v. Johns-Manville Corp., 812 F.2d 81, 90 (3d Cir. 1987)
- Marroquin-Manriquez v. I.N.S., 699 F.2d 129, 134 (3d Cir. 1983)
- Farmers & Merchs. Nat'l Bank v. San Clemente Fin. Group Sec., Inc., 174 F.R.D. 572, 585 (D.N.J. 1997)
- Saldi v. Paul Revere Life Ins. Co., 224 F.R.D. 169, 174 (E.D. Pa. 2004)
- Scott Paper Co. v. United States, 943 F. Supp. 501, 502 (E.D. Pa. 1996)
- Kresefky v. Panasonic Commc'ns and Sys. Co., 169 F.R.D. 54, 64 (D.N.J. 1996)
- Hasbrouck v. BankAmerica Hous. Servs., 190 F.R.D. 42, 44-45 (N.D.N.Y. 1999)
- EEOC v. Mr. Gold, Inc., 223 F.R.D. 100, 102 (E.D.N.Y. 2004)
- Halsey v. Pfeiffer, No. 09-1138, 2010 WL 3735702, at *1 (D.N.J. Sept. 17, 2010)
- Dove v. Atlantic Capital Corp., 963 F.2d 15, 19 (2d Cir. 1992)
- Galella v. Onassis, 487 F.2d 986, 997 (2d Cir. 1973)
- James v. York County Police Dep't, 160 F. App'x 126, 136 (3d Cir. 2005)
- Nolan v. U.S. Dep't of Justice, 973 F.2d 843, 849 (10th Cir. 1992)
- Johnson v. New York Univ. Sch. of Educ., 205 F.R.D. 433, 434 (S.D.N.Y. 2002)
- In re Currency Conversion Fee Antitrust Litigation, 2002 WL 88278, at *1 (S.D.N.Y. Jan. 22, 2002)
- Chrysler Capital Corp. v. Century Power Corp., 137 F.R.D. 209, 209-10 (S.D.N.Y. 1991)
- Flores v. Southern Peru Copper Corp., 203 F.R.D. 92 (S.D.N.Y. Apr. 19, 2001)
- Anti-Monopoly, Inc. v. Hasbro, Inc., 1996 WL 101277, at *2 (S.D.N.Y. Mar. 7, 1996)