

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
MISSISSIPPI

A.M. by and through next friend, Nakala Murry, and Nakala Murry
v. City of Indianola, Mississippi and Officer Greg Capers

A.M. v. City of Indianola · No. 4:25-CV-53-JDM-DAS · Decided May 29, 2026

SUMMARY

The United States District Court for the Northern District of Mississippi denied Plaintiffs’ Motion to Compel. The court held that discovery remained stayed due to pending immunity-based motions and that the requested broad electronic-discovery search exceeded the limited Rule 56(d) discovery previously authorized. The court declined to compel department-wide searches, additional discovery concerning an attorney, sanctions, or fee-shifting.

CASE DETAILS

COURT	United States District Court for the Northern District of Mississippi
WRITING FOR THE COURT	David A. Sanders
JURISDICTION	United States District Court for the Northern District of Mississippi
DECIDED	May 29, 2026
DOCKET	4:25-CV-53-JDM-DAS
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiffs moved to compel broad supplemental electronic discovery while immunity-based summary judgment motions were pending and discovery remained stayed, subject only to limited Rule 56(d) authorization.
STANDARD OF REVIEW	The Court evaluated the motion under the governing discovery standards, the continuing immunity-based discovery stay, the limited scope of prior Rule 56(d) orders, proportionality, and the requirements of Rule 26(e).
PRECEDENTIAL VALUE	unpublished district court order
PARTIES	A.M. by and through next friend, Nakala Murry, Nakala Murry v. City of Indianola, Mississippi, Officer Greg Capers

TOPICS

discovery dispute

qualified immunity

summary judgment

civil procedure

PRACTICE AREAS

civil procedure

civil rights

qualified immunity

discovery

QUESTIONS PRESENTED

1. Whether Plaintiffs were entitled to compel broad supplemental electronic discovery while discovery remained stayed under Local Uniform Civil Rule 16(b)(3)(B) because immunity-based motions were pending.
2. Whether the Court's prior Rule 56(d) orders or the parties' supplementation discussions authorized the department-wide searches and additional discovery requested by Plaintiffs.
3. Whether the single email produced by MBI warranted compelled discovery concerning Attorney V. Dorsey.
4. Whether sanctions or fee-shifting should be imposed.

HOLDINGS

1. The Court may not compel broad merits discovery that substantially exceeds the limited Rule 56(d) discovery authorized while immunity-based motions remain pending and the discovery stay remains in effect.
2. The Court's prior Rule 56(d) orders and the parties' post-deposition discussions did not waive the immunity-based discovery stay or authorize unlimited future electronic discovery.
3. The Court would not compel additional discovery concerning Attorney V. Dorsey based on speculation about the nature and extent of her involvement.
4. Sanctions and fee-shifting were unwarranted on the present record.

KEY QUOTATIONS

“The rationale underlying such stays is well-established: immunity is not merely a defense to liability, but an entitlement to avoid the burdens of litigation, including broad discovery.”

“The parties’ post-deposition discussions regarding supplemental productions did not constitute a blanket waiver of the qualified-immunity stay or an agreement to unlimited future electronic discovery.”

“But the Court will not compel the broad supplemental discovery requested by Plaintiffs, will not order a department-wide forensic search of municipal communications, and will not impose sanctions or fee-shifting on the present record.”

FACTUAL BACKGROUND

Plaintiffs sought broad supplemental electronic discovery from the City of Indianola based principally on a June 9, 2023, email produced by the Mississippi Bureau of Investigation. The requested discovery included comprehensive searches of employee emails, text messages, and electronic files, including materials concerning

an individual identified as Attorney V. Dorsey. The Court found that prior orders authorized only targeted discovery concerning specified records, custodians, and depositions, and that the parties' discussions reflected confusion but did not establish authorization for a department-wide forensic search.

PROCEDURAL HISTORY

The Court previously stayed discovery under Local Uniform Civil Rule 16(b)(3)(B) after immunity-based summary judgment motions were filed. It later authorized limited production of existing police records and four specified depositions, and subsequently allowed Plaintiffs to substitute a Rule 30(b)(6) deposition of the Mississippi Bureau of Investigation for two authorized depositions. Plaintiffs then moved to compel a department-wide search of emails, text messages, and electronic records based principally on an email produced by MBI; the Court denied the motion.

DISPOSITION

other

CASES CITED

- Backe v. LeBlanc, 691 F.3d 645, 648 (5th Cir. 2012)