

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

Leandre Martell v. Officer D. Lowery, et al.

Martell · No. 2:24-cv-00159-GMN-MDC · Decided December 5, 2025

OPINION

Martell

PER CURIAM.

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 Leandre Martell, Plaintiff, No. 2:24-cv-00159-GMN-MDC 4

vs. ORDER GRANTING MOTION TO

5 COMPEL (ECF NO. 51) AND MOTION FOR

Officer D. Lowery, et al., PRODUCTION OF DOCUMENTS (ECF NO. 6 Defendants. 56) 7 8 9

The Court has reviewed plaintiff's Motion to Compel ("Compel Motion") (ECF No. 51) and 10
Motion for the Production of Documents ("Production Motion") (ECF No. 56) (collectively
"Motions"). 11 The Court interprets the Production Motion to be a Motion to compel documents.

See ECF No. 56. "The 12 district court has wide discretion in controlling discovery[.]" Tradebay,
LLC v. eBay, Inc., 278 F.R.D. 13 597, 601 (D. Nev. 2011) (citing Little v. City of Seattle, 863 F.2d
681, 685 (9th Cir. 1988)). Given the 14 circumstances of this case and of plaintiff recent
incarceration, the Court finds good cause to grant the 15 Motions.1 Defendants are compelled to
respond to plaintiff's requests for discovery in the Motions. The 16 Court notes that defendants
have not waived any objections to the discovery requests. If defendants want 17 to raise any
objections to any of plaintiff's requests, the parties must meet and confer before filing any 18
motions with the court. The Court expects defense counsel to cooperate and coordinate any such
meet 19 and confer sessions with plaintiff. 20 // 21 // 22 // 23 // 24 25 1 Furthermore, defendants
did not oppose the Production Motion. 1

1 ACCORDINGLY,

2 IT IS ORDERED THAT: 3 1. Plaintiff's Motion to Compel (ECF No. 51) is GRANTED. 4 2.
Plaintiff's Motion for the Production of Documents (ECF No. 56) is interpreted to be a 5 Motion
to compel documents. The Motion is GRANTED. 6 3. Defendants are compelled to respond to
plaintiffs requests for discovery in the Motions. 7 4. If defendants want to raise any objections to
any of plaintiffs requests in the Motions, the 8 parties must meet and confer before filing any
motions. The Court expects defense 9 counsel to cooperate and coordinate any such meet and
confer sessions with plaintiff. 10 IT IS SO ORDERED. 11 DATED: December 5, 2025 13
Hox/Maximiliand D,£ouvillier, II 4 Vnited "re Judge

° NOTICE

16 Pursuant to Local Rules IB 3-1 and IB 3-2, a party may object to orders and reports and recommendations issued by the magistrate judge. Objections must be in writing and filed with the Clerk of the Court within fourteen days. LR IB 3-1, 3-2. The Supreme Court has held that the courts of appeal 59 determine that an appeal has been waived due to the failure to file objections within the specified 51 || time. *Thomas v. Arn*, 474 US. 140, 142 (1985). This circuit has also held that (1) failure to file objections 99 || within the specified time and (2) failure to properly address and brief the objectionable issues waives the 23 || right to appeal the District Court's order and/or appeal factual issues from the order of the District Court. 24 || *Martinez v. YIst*, 951 F.2d 1153, 1157 (9th Cir. 1991); *Britt v. Simi Valley United Sch. Dist.*, 708 F.2d 452, 25 454 (9th Cir. 1983). Pursuant to LR IA 3-1, plaintiff must immediately file written notification with the 1 court of any change of address. The notification must include proof of service upon each opposing party's 2 attorney, or upon the opposing party if the party is unrepresented by counsel. Failure to comply with this 3 4 rule may result in dismissal of the action. 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 3