

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
MISSISSIPPI, NORTHERN DIVISION

Joseph Shelby v. Hinds County, Mississippi, et al.

Shelby v. Hinds County · No. 3:24-CV-483-DPJ-ASH · Decided February 11, 2026

SUMMARY

The United States District Court for the Southern District of Mississippi denied Joseph Shelby’s motion to compel discovery in his First Amendment retaliation lawsuit against Hinds County and related defendants. The court held that the motion was procedurally deficient and untimely under the Federal Rules of Civil Procedure and the court’s local rules, and that Shelby had not identified discovery requests requiring production of the requested information.

CASE DETAILS

COURT	United States District Court for the Southern District of Mississippi, Northern Division
WRITING FOR THE COURT	Andrew S. Harris
JURISDICTION	United States District Court for the Southern District of Mississippi, Northern Division
DECIDED	February 11, 2026
DOCKET	3:24-CV-483-DPJ-ASH
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved to compel discovery in a First Amendment retaliation action. A United States magistrate judge denied the motion.
STANDARD OF REVIEW	The court applied the requirements of Federal Rule of Civil Procedure 37(a)(1), Local Rules 7(b)(2)(C), 37(a), 37(b), and 37(c) to determine whether the motion to compel could be considered and whether the requested production had been properly sought.
PRECEDENTIAL VALUE	unknown

TOPICS

- discovery dispute
- civil procedure
- first amendment
- retaliation
- wrongful termination

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the motion to compel should be denied for failure to include the good-faith conferral certifications required by Federal Rule of Civil Procedure 37(a)(1) and Local Rule 37(a).
2. Whether the motion to compel was untimely under Local Rule 7(b)(2)(C) because it was filed only two days before the discovery deadline.
3. Whether the court could compel production when the motion failed to identify or quote the interrogatory or request for production allegedly requiring the requested information.

HOLDINGS

1. A motion to compel must include the certifications required by Federal Rule of Civil Procedure 37(a)(1) and Local Rule 37(a); attaching email correspondence between counsel does not satisfy those certification requirements.
2. A discovery motion must be filed sufficiently before the discovery deadline to allow time for a response, court ruling, and implementation of the ruling; filing the motion two days before the deadline was untimely.
3. A court cannot compel production under Rule 37 when the movant fails to identify or quote the interrogatory or request for production that sought the information; a party may move to compel only materials that were requested and not produced.

KEY QUOTATIONS

“Only if the telephonic conference with the judge is unsuccessful in resolving the issue may a party file a discovery motion.” (II. Analysis)

“The Court cannot compel Defendants to produce something Shelby never asked for in discovery.” (II. Analysis)

FACTUAL BACKGROUND

Shelby alleged that Hinds County terminated him from his Special Projects Officer position because he supported Supervisor Vern Gavin's unsuccessful reelection campaign. He sought a list of PINs, names, and contact information for Special Projects Officers dating back to 2001, asserting that the information related to allegations concerning a former practice of transferring outgoing supervisors' Special Projects Officers. The motion was filed two days before the discovery deadline and did not identify the interrogatory or request for production to which the requested information was responsive.

PROCEDURAL HISTORY

Joseph Shelby sued Hinds County and other defendants, alleging that he was terminated from his position as a Special Projects Officer in retaliation for supporting a county supervisor's unsuccessful reelection campaign. After a case-management order established a January 23, 2026 discovery deadline, Shelby sought a discovery

conference and then filed a motion to compel on January 21, 2026. The court denied the motion because it lacked the required good-faith certifications, was untimely, and failed to identify or quote the discovery requests allegedly requiring production.

DISPOSITION

other

CASES CITED

- Mills v. UPS Store, Inc., No. 3:19-CV-364-CWR-BWR, 2025 WL 525117, at *6 (S.D. Miss. Feb. 18, 2025)
- Shumaker v. Alarsi, No. 1:23-CV-4-SA-DAS, 2025 WL 3094228, at *2 (N.D. Miss. Nov. 5, 2025)
- Crosswhite v. Lexington Insurance Co., 321 F. App'x 365, 368 (5th Cir. 2009)