

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
PENNSYLVANIA

Paul-Anthony Cononie v. Thomas P. Caulfield, et al.

Cononie · No. 2:25-cv-01447 · Decided January 20, 2026

SUMMARY

The United States District Court for the Western District of Pennsylvania grants Defendants’ motion to strike Plaintiff’s ECF No. 41 pleading as immaterial, impertinent, scandalous, and prejudicial. The Court denies Plaintiff’s three motions to compel, finding them either lacking a legal basis, premature because discovery had not commenced, or unrelated to the federal civil rights action, and orders Plaintiff to cease further discovery attempts until authorized.

CASE DETAILS

COURT	United States District Court for the Western District of Pennsylvania
WRITING FOR THE COURT	Marilyn J. Horan
JURISDICTION	United States District Court for the Western District of Pennsylvania
DECIDED	January 20, 2026
DOCKET	2:25-cv-01447
DISPOSITION	other
PROCEDURAL POSTURE	The court resolved defendants' motion to strike a plaintiff filing and plaintiff's three motions to compel discovery while defendants' motions to dismiss remained pending.
STANDARD OF REVIEW	A motion to strike under Federal Rule of Civil Procedure 12(f) is generally granted only when the challenged material bears no possible relationship to the controversy, may prejudice a party, or confuses the issues. Discovery may not ordinarily be sought before the Rule 26(f) conference unless an exception, stipulation, or court order applies.
PRECEDENTIAL VALUE	Unknown; district court order with no reported citation.
PARTIES	Paul-Anthony Cononie v. Thomas P. Caulfield, et al., Allegheny County Sheriff's Office, Deputy Tyler McAllister

TOPICS

- discovery dispute
- pleadings
- civil procedure
- section 1983

PRACTICE AREAS

civil procedure

civil rights

discovery

QUESTIONS PRESENTED

1. Whether ECF No. 41 should be stricken under Federal Rule of Civil Procedure 12(f) as immaterial, impertinent, scandalous, and prejudicial.
2. Whether plaintiff could compel discovery based on defense counsel's description of body-worn-camera footage.
3. Whether plaintiff's subpoena-related requests for state-court criminal records were premature before the Rule 26(f) conference and resolution of the pending motions to dismiss.
4. Whether plaintiff could compel production of a police report, photographs, and related materials that were unrelated to the present federal civil-rights action.

HOLDINGS

1. The court granted defendants' motion to strike and ordered ECF No. 41 stricken and removed from public view because its contents were immaterial, impertinent, and scandalous, unrelated to plaintiff's claims, and prejudicial to defendants.
2. The motion to compel discovery was denied because defense counsel's statement was permissible argument describing what counsel claimed could be heard in plaintiff's video evidence and provided no legal basis for compelling evidence.
3. The motion to compel compliance with a subpoena duces tecum was denied as premature because the parties had not conducted their Rule 26(f) conference and no exception, stipulation, or court order authorized early discovery.
4. The motion to compel police-report materials was denied because discovery was premature and the requested materials concerned matters unrelated to the present federal civil-rights action and an unrelated third party.
5. The court ordered plaintiff to cease all attempts to compel production of materials based on the federal case until the court notifies the parties that discovery may commence.

KEY QUOTATIONS

“The moratorium on Plaintiff’s discovery attempts will continue until, and unless, the Court notifies the parties that discovery may commence.” (Order following ¶ 4)

FACTUAL BACKGROUND

Plaintiff's ECF No. 41 filing contained correspondence, a disciplinary-counsel letter, defense counsel correspondence, and fax materials, including sexually explicit, demeaning, and accusatory allegations unrelated to plaintiff's civil-rights claims. Plaintiff also sought materials concerning defense counsel's characterization of body-worn-camera footage, records from an underlying state criminal case, and a police report and related

materials concerning an unrelated third party. The parties had not yet held their Rule 26(f) conference, and defendants' motions to dismiss were still pending.

PROCEDURAL HISTORY

Plaintiff filed a civil-rights action concerning events in a Court of Common Pleas courtroom. Defendants moved to strike ECF No. 41, and plaintiff filed three motions seeking discovery and subpoenaed materials. The district court granted the motion to strike, denied all three motions to compel, and imposed a temporary discovery moratorium until the court authorizes discovery.

DISPOSITION

other

CASES CITED

- United States v. Educ. Mgmt. Corp., 871 F. Supp. 2d 433, 460 (W.D. Pa. 2012)
- Flanagan v. Wyndham Int'l, Inc., No. 2002/237-M/R, 2003 WL 23198798 (D.V.I. Apr. 21, 2003)
- Eisai Co., Ltd. v. Teva Pharmaceuticals USA, Inc., 629 F. Supp. 2d 416, 425 (D.N.J. 2009)